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WILLIAM PINKNEY'S FIRST PUBLIC SERVICE¹

By MAX P. ALLEN

I. THE PINKNEYS OF ANNAPOLIS

In pre-war days Annapolis may have left relatively little impression on some of the casual June week visitors who were in the city to attend the social and academic functions of the Naval Academy. But in the latter part of the eighteenth century, Maryland's capital, located on the Severn river, compared favorably in size with Baltimore. It was the scene of stirring events which are outstanding in the history of Maryland and the United States.

Here in 1774 a convention adopted resolutions opposing the Intolerable Acts. Here the following year the Association of Freemen of Maryland came into existence. Here independence

¹ Since 1939 the writer has been intermittently engaged in collecting data related primarily to the public career of William Pinkney (1764-1822). In addition to the various sources cited for this article, it seems appropriate to mention certain persons who have been particularly helpful.

Foremost must be listed Mrs. L. Roberts Carton, of Towson, a great-great-granddaughter of Pinkney. She and her husband have many of Pinkney's personal belongings, practically all of the biographical material which has been printed, some letters, and a host of family traditions. Others who have given assistance which has been especially appreciated include the following: Dr. St. George L. Sioussat and Dr. Thomas P. Martin, of the Library of Congress; Dr. P. M. Hamer, of the National Archives; Dr. Morris L. Radoff, Archivist of Maryland; Mr. James W. Foster, Editor of the *Maryland Historical Magazine*; Miss Florence J. Kennedy, of the Maryland Historical Society; and Professor A. L. Kohlmeier, head of the Department of History, Indiana University.

was declared and a state constitution formed. Here after the Revolution General Washington resigned his commission to Congress. Here in 1786, as an aftermath of the meeting at Mt. Vernon the preceding year, assembled the delegates of Virginia, Pennsylvania, New Jersey, and New York, in a gathering which was the direct forerunner of the Philadelphia Convention. And here lived a family which was destined to furnish Maryland several of its outstanding citizens.

Jonathan Pinkney, born in England about the same year as George Washington, remains as obscure today as progenitors of famous sons often have a habit of doing. His relationship to the Carolina Pinckneys must have been remote, although they may have sprung from some common ancestor who came to England with William the Conqueror. Jonathan emigrated to America, taking residence at Annapolis, "where he lived in quiet seclusion and illustrated the virtues that adorned his character."²

His first wife was a Margaret Rind; at her death he married her sister Ann, "a lady of most vigorous understanding and tender sensibilities." By the second marriage Jonathan had four children: a daughter, Nancy, concerning whom little is known, and three sons—Jonathan, Jr., William, and Ninian. One of these sons may have been named for his mother's brother, William Rind, who was a protégé of the Greens in the printing business at Annapolis in the 1760's.³

During the years 1769 to 1774, the elder Pinkney paid an annual tax of ten shillings, ten pence on 385 acres of land in Anne Arundel county, 100 acres of which had been purchased from Samuel Chase.⁴ Pinkney had just ordered the surveying of 1,125 additional acres when he became involved in the political turmoils which ruined most Tories.⁵

² Reverend William Pinkney, *Life of William Pinkney* (New York, 1853), p. 12. The material quoted here and in the following paragraph is typical of this highly eulogistic account written by a nephew who was about twelve years of age at the time of his uncle's death. All the evidence seems to indicate that the uncle was an Episcopalian; the nephew became an Episcopal bishop. Mrs. L. R. Carton to Max P. Allen, Nov. 27, 1943.

³ Mrs. L. R. Carton to Max P. Allen, Dec. 10, 1943. See also the parish records of the St. Anne's Episcopal Church in Annapolis. For information regarding the Greens, consult Joseph T. Wheeler, *The Maryland Press, 1777-1790* (Baltimore, 1938), pp. 65-70.

⁴ Debt Books of Anne Arundel County, 1769-1774, Land Office, Annapolis. Chase still had title to 938 acres upon which the annual tax was thirty-seven shillings, nine pence.

⁵ Patent Records of Anne Arundel County, 1774, Land Office, Annapolis. The

In May, 1774, resolutions of sympathy for Boston were adopted at a public meeting in Annapolis, a committee of correspondence being constituted of John Hall, Charles Carroll, Barrister, Thomas Johnson, William Paca, Mathias Hammond, and Samuel Chase.⁶ Early the next month a long notice appeared in the *Maryland Gazette* listing 135 people who took this means of expressing disapproval of the revolutionary tendencies in Annapolis. The name of Jonathan Pinkney stood eighth, the foremost being Lloyd Dulany and William Cooke.⁷ There was probably not a more outstanding Tory family in America than the Dulanys, the most notable member of which was Daniel, the Younger.⁸

Courage of this type on the part of Jonathan was to characterize his second son, William, born in 1764, who apparently, however, did not share his father's loyalty to the King. The Revolution interrupted his studies at the King William's School, established in 1696 in a plain building located on the south side of the State House.⁹ As a later writer has remarked, the records of this school are lost, "but one name remains—that proves its right to existence (it has had more than its share of ups and downs)—William Pinkney's."¹⁰

Legislative provision was made in 1785 to combine the assets of King William's School and St. John's College.¹¹ William's

writer was unable to find any mention of Jonathan Pinkney in the Journal of the Proceedings of the Commissioners of the Confiscated British Property. But it is reasonable to accept the verdict of the early biographers that he suffered confiscation along with the more prominent Tories.

⁶ *Maryland Gazette* (Annapolis), May 26, 1774. Almost as prominent at this time as Samuel Chase was Jeremiah T. Chase, both being the descendants of a Samuel Chase of London. The latter had two sons who became Anglican clergymen. The Reverend Thomas Chase was the father of Samuel Chase, while the Reverend Richard Chase was the grandfather of Jeremiah T. Chase. Samuel and Jeremiah married sisters, Anne and Hester Baldwin, respectively, of Annapolis. Samuel Chase's son, Thomas, married Jeremiah's daughter, Mathilde, according to the Cary MSS, Maryland Historical Society. Samuel and Jeremiah Chase cooperated most fully in their numerous political enterprises.

⁷ *Maryland Gazette*, June 2, 1774.

⁸ The latter won the admiration of Pitt and many Americans in 1765 by his *Considerations on the Propriety of Imposing Taxes in the British Colonies for the Purpose of Raising a Revenue by Act of Parliament*. He had lately lost his popularity as a result of a newspaper controversy carried on with Charles Carroll of Carrollton. Consult Richard H. Spencer, "Hon. Daniel Dulany, 1722-1797," in *Maryland Historical Magazine*, XIII (March, 1918), 143-160.

⁹ Pinkney, *William Pinkney*, p. 14.

¹⁰ Elihu S. Riley, *The Ancient City. A History of Annapolis, in Maryland* (Annapolis, 1887), p. 80.

¹¹ *Laws of Maryland*, Nov. Sess., 1785, Ch. XXXIX.

brother Ninian, four years his junior, attended St. John's as did the Reverend William Pinkney, Ninian's son, and many other members of the numerous Pinkney family.¹² William Pinkney "was initiated in classical studies by a private teacher of the name of Brathaud, who took great pains in instructing him, and of whom he always spoke with the warmest affection and gratitude."¹³

The end of the Revolution found Pinkney apprenticed to a doctor in Baltimore whose name is not agreed upon by the early biographers. The young man apparently displayed less interest, however, in medicine than in debating. It was his efforts in the latter field which caught the attention of Samuel Chase.¹⁴ Soon Pinkney gave up the "uncongenial pursuit" of medicine to enter Chase's law office at Annapolis, where he proceeded to exhibit that passion for work which characterized his whole career and doubtless accounted for much of his success.

In the splendors of Dulany, her [Maryland's] setting luminary (one of the most remarkable men of his age), and in the meridian blaze of her Chase and Martin, who were just then culminating to their zenith, he felt as the sons of genius ever feel, whose steppings are in an illuminated pathway, that those, who would follow in their steps, must give their days and nights to study and emulate their greatness by emulating their love of labor.¹⁵

¹² Consult Rosamond R. Beirne and Edith R. Bevan, *The Hammond-Harwood House and Its Owners* (Baltimore, 1941) and Orlando Hutton, *Life of the Right Reverend William Pinkney* (Washington, 1890).

On the campus of St. John's College there is a Pinkney Hall, while across the street, next to the Baptist Church, is a Pinkney House. There is some difference of opinion as to the origin of the latter. According to Mrs. Carton, however, it belonged originally to the William Pinkney who is the subject of this article. She estimates that it was moved to the campus about thirty-five or forty years ago. She says that two old ladies, the Misses Pinkney, resided in it up to their deaths and that she often went to visit them with her father, Joseph Whyte. Mrs. L. R. Carton to Max P. Allen, Oct. 5, 1944.

¹³ Henry Wheaton, *Some Account of the Life, Writings and Speeches of William Pinkney* (New York, 1826), p. 2. This biography has been the standard source regarding Pinkney ever since it was written. Wheaton spent about three years collecting material and doing the writing. It is quite interesting that Pinkney should have for his first biographer the versatile Wheaton, who became outstanding as a publicist, lawyer, diplomat, and historian.

¹⁴ Robert T. Conrad, ed., *Sanderson's Biography of the Signers to the Declaration of Independence* (Philadelphia, 1848), p. 588. Justice Story agrees with other authorities that Pinkney "acquired his profession with Judge Chase." Consult his "Notes of Lecture on William Pinkney," in William A. Story, ed., *Life and Letters of Joseph Story* (Boston, 1851), p. 490.

¹⁵ Pinkney, *William Pinkney*, p. 16.

Pinkney developed particular attainments in the law of real property and the science of special pleading.

... His style of speaking was marked by an easy flow of natural eloquence and a happy choice of language. His voice was very melodious and seemed a most winning accompaniment to his pure and effective diction. His elocution was calm and placid—the very contrast of that strenuous, vehement, and emphatic manner which he subsequently adopted.¹⁶

Chase's activities as agent for the State of Maryland in its controversy with the Bank of England (just one of the many phases of his life, incidentally, which historians have neglected) led to his making a trip to England in 1783. Presumably he gave his protégé the full benefit of his experiences abroad as well as in American courts, public assemblies, and political gatherings. Chase's predilection for being involved almost constantly in newspaper disputes or lawsuits must have influenced Pinkney to steer clear of such affairs.¹⁷

At the age of twenty-two, he gained admittance to the bar. He chose Harford County "as the arena of his first professional efforts. She received and rewarded the young adventurer. She saw his worth and appreciated it."¹⁸ Little is known of his experiences during the first part of the six years he lived there. Probably it was at this time that he became acquainted with Ann Maria Rodgers, whom he married in 1789.

¹⁶ Wheaton, *William Pinkney*, p. 6. Mr. William L. Rawls, a Baltimore attorney, has long been interested in the legal aspects of Pinkney's career. The writer is indebted to him for a copy of the address he delivered on Pinkney at Baltimore, April 9, 1938, before the Lawyers Round Table.

The writer is under similar obligations to Mr. L. R. Carton for "A Paper on William Pinkney," which was read at the Ninth Annual Meeting of the Maryland State Bar Association (1904) by the Hon. William Pinkney Whyte. The latter, a grandson of Pinkney and the paternal grandfather of Mrs. Carton, was one of Maryland's most eminent citizens. He served as Mayor of Baltimore, Governor, and United States Senator.

Cf. Monroe Johnson, "William Pinkney, Legal Pedant," in *American Bar Association Journal*, XXII (Sept., 1936), 639-642. For an excellent resumé of Pinkney's life, consult John J. Dolan, "William Pinkney," in *Dictionary of American Biography*, XIV (New York, 1934), 626-629.

¹⁷ All during the first half of 1787, "Publicola" (Chase) exchanged heated letters with "Aristides" (Alexander C. Hanson) in the columns of the *Maryland Gazette*. They were especially at odds over the degree of independence which delegates should exercise in the legislature. Chase upheld the theory that delegates should be given instructions to which they must conform. Probably the bitterest newspaper feud of the period, however, was that carried on in the same year between Daniel of St. Thomas Jenifer and Gabriel Duval.

¹⁸ Pinkney, *William Pinkney*, p. 17.

Ann, the sister of a future commodore, was the daughter of John Rodgers, who lived on the north side of the Susquehanna river ferry at Perryville, Maryland. As was the custom of the day, the elder Rodgers had a tavern-keeper's license which enabled him to collect a charge from chance passersby who found it convenient to stop at his home on their way to and from Philadelphia. George Washington is reputed to have lodged there many times.¹⁹

As far as this study is concerned, however, Pinkney's principal accomplishment at this time was being elected to the Maryland ratifying convention to be held in April, 1788, at Annapolis. Other members of the Harford County delegation were Luther Martin, William Paca, and John Love.²⁰

II. GENERAL COMMENTS ON RATIFICATION IN MARYLAND

Little contemporary material is available on Pinkney's role at the Annapolis Convention, nor have later writers been concerned appreciably with it. Under certain circumstances, therefore, it would be fruitless to linger long on this phase of his career. It is this writer's opinion, however, that the meeting involved matters so fundamental that a careful examination is in order.

For Maryland's action was important.²¹ Her position as a middle state made ratification essential for geographical considerations alone. Equally important was the effect her action might have on wavering states like Virginia and New York. With Rhode Island and North Carolina definitely outside the fold, it is quite within the realms of probability that unfavorable action at Annapolis would have made ratification by the required nine states impossible. Washington expressed the gravity of the situation in these words: "The fiat of your convention will most assuredly raise the edifice."²²

¹⁹ William and Ann were married in the front parlor of the Rodgers home which, incidentally, still stands. However, the original doorway has been removed and the structure converted into a double house with two doorways. Mrs. L. R. Carton to Max P. Allen, Oct. 5, 1944. John Rodgers later moved to Havre-de-Grace.

²⁰ Bernard C. Steiner, "Maryland's Adoption of the Federal Constitution," in *American Historical Review*, V (Oct., 1899), 42. Steiner's monograph was completed in the December issue of the *Review*. It barely mentions Pinkney, but otherwise is the best secondary source which is available on the Maryland Convention of 1788.

²¹ *Ibid.*, pp. 22-23.

²² Washington to Daniel of St. Thomas Jenifer, Mt. Vernon, April 27, 1788. Quoted from George Bancroft, *History of the Formation of the Constitution*, II (New York, 1882), 283.

Critics like Libby²³ and Beard²⁴ have found relatively little evidence that ratification was "railroaded" in Maryland. By way of illustration, it is rather difficult to assign to a man like Dr. James McHenry the part of a conspirator seeking to effect a *coup d'état*²⁵ for realtors. He had signed the Constitution at Philadelphia with misgivings, leading him to record these reasons for his action: his respect for the abilities of those favoring it; the provisions for amendment; "the inconvenience and evils which we labor under and may experience from the present confederation. . . ." ²⁶ During the period from November 26, 1787, when arrangements were made for the convention,²⁷ until the assembling of the delegates the following April, he played a relatively passive role, rather comparable to that of Washington.²⁸

Contemporary Maryland newspapers gave liberally of their columns to a host of contributors.²⁹ The election of sixty-four Federalists (the word is used with its modern connotation) out of a total of seventy-six delegates can be interpreted only as an

²³ Orin Grant Libby, "The Geographical Distribution of the Vote of the Thirteen States on the Federal Constitution, 1787-8," in *Bulletin of the University of Wisconsin*, I (June, 1894), 32-34, 85-86. Libby was a pioneer in suggesting that economic interests played an important part in Maryland's action. See *ibid.*, p. 33.

²⁴ Charles A. Beard, *An Economic Interpretation of the Constitution* (New York, 1925), p. 238.

²⁵ *Ibid.*, p. 218. Beard cites J. W. Burgess as the authority for the Napoleonic implications.

²⁶ Steiner, *The Life and Correspondence of James McHenry* (Cleveland, 1907), p. 107.

²⁷ *Votes and Proceedings of the Senate of Maryland*, Nov. Sess., 1787, p. 5 ff. Persons eligible to vote for members of the House of Delegates were permitted to vote for delegates to the ratifying convention. Incidentally, the proposal to delay action until April was carried in the Lower House by only one vote. See *Votes and Proceedings of the House of Delegates of Maryland*, Nov. Sess., 1787, p. 12.

²⁸ Washington to Jonathan Trumbull, Mt. Vernon, Feb. 5, 1788, in *Documentary History of the Constitution*, IV (Washington, 1905), 478-479; Steiner, *James McHenry*, p. 108.

²⁹ The most active in defence of the Constitution were A. C. Hanson and the Carrolls. Unfortunately the report of Daniel Carroll, Jenifer, and McHenry to the Legislature regarding the Philadelphia Convention has not been preserved. But Luther Martin's objections were published in full in the *Maryland Gazette; or, the Baltimore Advertiser*, beginning on Dec. 28, 1787, and extending for twelve issues. These were published with minor revisions at Cincinnati in 1838 under the title *The Genuine Information, Laid Before the Legislature of Maryland*. Mercer, the fifth delegate, who also refused to sign the Constitution, made no report to the Legislature (as all the delegates had been requested to do) but campaigned vigorously against ratification. However, Samuel Chase was the most prolific writer against accepting the work of the Philadelphia Convention. The best published sources here are *Essays on the Constitution* (Brooklyn, 1892), pp. 325-383 and *Pamphlets on the Constitution* (Brooklyn, 1888), pp. 217-257, both edited by P. L. Ford.

indication of a genuine majority in favor of adoption.³⁰ When Steiner and Beard submit figures showing how few people voted in Maryland or any other state,³¹ it is largely evidence of the lack of democracy in the 1780's in particular, and the usual apathy of citizens on constitutional problems in general.³²

Pinkney's exact views on the Constitution at this time are a matter of some dispute, as will be pointed out in section four of this article. To most observers, however, he could be regarded only as an opponent of ratification, possibly even a "malcontent."³³ Are we to assume that this inexperienced young attorney failed to keep his political ear close enough to the ground to properly interpret the rumblings of public opinion?

It is true that Madison had been a bit pessimistic in December.³⁴ But in February Daniel Carroll declared that the "Antifeds," would merely seek to prevent final action until after the Virginia Convention. Such a maneuver had rather worried Washington and Madison although Carroll thought it likely to fail.³⁵ Madison was not indulging in wishful thinking when he informed Jefferson two months before the Maryland convention of an expectation "that the opposition will be outnumbered by a great majority."³⁶ So many similar predictions were made by practical men of affairs that it is impossible for Pinkney not to have realized quite early that he was aligning himself with a forlorn hope.³⁷

³⁰ Quoted by Libby, *op. cit.*, p. 65, from the *Pennsylvania Gazette*, April 30, 1788.

³¹ Steiner, "Maryland's Adoption of the Federal Constitution," in *American Historical Review*, V, 41-44; Beard, *op. cit.*, pp. 238-252.

³² Beard says that even in New York (where manhood suffrage was the basis of voting in this particular election) less than ten per cent of the electorate participated. See *ibid.*, p. 244.

³³ The historian George Bancroft could not recognize any kind of opposition to the Constitution as legitimate. See his *History of the Formation of the Constitution*, II (New York, 1882), 281-282.

³⁴ Madison to Thomas Jefferson, New York, Dec. 9, 1787, in *Documentary History of the Constitution*, IV, 396-397.

³⁵ Daniel Carroll to James Madison, Rock Creek near George Town, Feb. 10, 1788, in *ibid.*, p. 498; James McHenry to George Washington, Baltimore, April 20, 1788, *ibid.*, p. 481, also refers to the prospective effort to concentrate on delaying a final vote.

³⁶ Madison to Jefferson, New York, Feb. 19, 1788, in *ibid.*, p. 511 ff.

³⁷ Francis Hopkinson to Jefferson, Philadelphia, April 6, 1788, in *ibid.*, p. 563; Daniel Carroll to Madison, n. p., April 28, 1788, *ibid.*, p. 597. The longest letter extant in Maryland on the question is Daniel Carroll to Madison, n. p., May 28, 1788, in *ibid.*, pp. 636-642. Carroll was one of the unexpected losers in Anne Arundel county as a result of the activities of John F. Mercer and the Chases. He attributed his defeat to the use of circulars emphasizing the need of a bill of rights and to a rumor that he had favored kingship at Philadelphia. Cf. *ibid.*, pp. 638-639, and Steiner, *James McHenry*, pp. 101-102.

Pinkney's action apparently did not harm his future prospects.³⁸ It is an error to believe that the proponents of the Constitution henceforth were the bitter political enemies of the Anti-Federalists of 1788. Luther Martin and Samuel Chase are recorded as Federalists in the late 1790's without any insinuation of their being mere "trimmers." Moreover, such a bold course for a young man may have been the most effective means of bringing him to the attention of the leading men of the day. Certainly it was fine experience for a prospective diplomat and constitutional lawyer.

III. HIGH LIGHTS OF THE CONVENTION

Even in its infancy the Constitution served as a source of bitter controversy, not only at Philadelphia but during the process of ratification in the several states. In Maryland, the Federalists generally (Hanson excepted) dodged the philosophical arguments advanced by their opponents and concentrated their fire on the financial activities of the leaders during the preceding decade. It so happened that many of the Anti-Federalists had paid depreciated paper money into the State treasury in satisfaction of debts owed British creditors. Hence they were sometimes called the "blacklist junto."³⁹ Moreover, Martin had obligated himself to the extent of approximately £4,000 for confiscated British estates, while Chase and his partners, the Dorseys, were involved for more than three times that amount.⁴⁰ "Steady" was only one of many who declared that Chase opposed ratification of the Constitution "because its establishment would leave him and his desperate adherents in a state of irrecoverable ruin."⁴¹ On the other hand, several of the Federalists had also bought confiscated lands, *e. g.*, James McHenry and Daniel Carroll.⁴²

³⁸ The immediate political effect, however, was rather disastrous to the opponents of ratification. Thus, Jeremiah Chase and Charles Ridgely of William sought unsuccessfully to become Presidential electors, while John F. Mercer and Samuel Chase failed in their Congressional races. See John T. Scharf, *History of Maryland from the Earliest Period to the Present Day*, II (Baltimore, 1879), 549-550.

³⁹ Benjamin R. Baldwin, "The Debts Owed by Americans to British Creditors, 1763-1802," Ph. D. dissertation in manuscript form, submitted to Indiana University in 1932, p. 224. Baldwin states that the paper money issue was the leading one in the election of delegates to the Annapolis Convention. See *ibid.*, pp. 217-218.

⁴⁰ Journal of the Proceedings of the Commissioners. Confiscated British Property, Hall of Records, Annapolis.

⁴¹ *Maryland Gazette; or, the Baltimore Advertiser* (Baltimore), Sept. 28, 1787.

⁴² Chase, however, was the only one of these mentioned who had to petition the

The Anti-Federalists, in turn, questioned the integrity of prominent proponents of ratification, a classic example being preserved from the neighboring state of Pennsylvania:

. . . You will be surprized when I tell you that our public News Papers have announced General Washington to be a Fool influenced & lead [*sic*] by the Knave Dr. Franklin, who is a public Defaulter for Millions of dollars, that Mr. Morris has defrauded the Public out of as many Millions as you please & that they are to cover their frauds by this new Government. . . .⁴³

So to some extent many of the arguments advanced concerning the financial status of the principals in this affair may be regarded as being merely specious. Certainly it over-simplifies the Annapolis Convention to divide the delegates into two well-defined groups, regardless of the explanation advanced for such a classification, *e. g.*, personal leadership, the paper money issue, conflicting economic interests, etc. This writer ventures the theory that as a matter of fact there were three fairly distinct groups, party solidarity in the modern sense of course being impossible.

The doughty Judge Alexander C. Hanson, who had written so valiantly and capably as "Aristides" in reply to Martin and Chase, led the rightists.⁴⁴ James McHenry of Baltimore Town, George Gale of Somerset County, and Richard Potts of Frederick County served as his chief lieutenants. Two delegates being absent throughout the convention,⁴⁵ thirty-eight votes constituted a simple majority. Although the Judge could always muster a handsome majority by bringing pressure to bear between sessions, his followers occasionally fell out of line, as will be noted below.⁴⁶

Legislature for relief. He was freed from his partnership obligations by agreeing to convey to Thomas Dorsey all of his real and personal property. See *Laws of Maryland*, Nov. Sess., 1789, Chapter X.

⁴³ Francis Hopkinson to Thomas Jefferson, Philadelphia, April 6, 1788, in *Documentary History of the Constitution*, IV, 562 ff. Hopkinson declared that Maryland was "infested with a Mr. Martin."

⁴⁴ In the *Maryland Gazette* of Jan. 31, 1788, appeared a notice that his "Remarks on the Proposed Plan of a Federal Government" was on sale for two shillings, nine pence, just sufficient to defray the printing costs. Eventually the prices was reduced to twenty-five cents.

⁴⁵ Steiner, "Maryland's Adoption of the Federal Constitution," *American Historical Review*, V, 42-44, contains a convenient roster of the delegates. According to Daniel Carroll the two absentees were Federalists. See Carroll to Madison, n. p., April 28, 1788, *Documentary History of the Constitution*, IV, 597.

⁴⁶ The most complete record of the various votes taken may be found in *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, edited by Jonathan Elliot, II (Philadelphia, 1876), 547-556.

Regardless of the motives of this group they sought speedy action as the course most likely to insure ratification in other states.

William Paca, one of Pinkney's colleagues from Harford County and another heavy purchaser of confiscated British estates, became the mouthpiece of a little group of moderates, being assisted openly by Thomas Johnson of Frederick County and tacitly by George Plater of St. Mary's County. The latter's conduct as presiding officer has been attributed in the past to the influence of generosity rather than any degree of collaboration with the minority group. The moderates disapproved of the Constitution as submitted but were unwilling to make amendments *a sine qua non* of ratification.⁴⁷

Then there were eleven extremists, consisting of the delegates from only three counties, Paca being excepted. The chief leaders were Samuel Chase⁴⁸ and Luther Martin, close associates of Pinkney (although he probably had not enjoyed many contacts with Martin prior to taking up his law practice in Harford County), ably assisted by John Francis Mercer and Jeremiah T. Chase, both of Anne Arundel County. The whole delegation from Baltimore County supported this group.⁴⁹ The long patriotic services of the leaders just mentioned preclude an explanation of their opposition on the basis of "rule or ruin" tactics or mere selfish interests. Certainly William Pinkney was not in bad company, even though the combined activities of Paca and Chase failed to circumvent Hanson's grim determination to force ratification without amendments.

The first step in their strategy apparently was procrastination, only forty-seven delegates being present at the first session on Monday, April 21. Plater, the unanimous choice for president,

⁴⁷ Hence they finally voted with the rightists, making the count 63 to 11. Consult *Documentary History of the Constitution*, II (Washington, 1894), 104-105; *Maryland Gazette*, May 1, 1788.

⁴⁸ Chase, although a resident of Baltimore since 1786 and a representative of that town in the last session of the Legislature, was a member of the Anne Arundel delegation. According to Steiner, *American Historical Review*, V, 42, there were only two other cases like this. However, Americans had not yet adopted the practice of insisting that representatives reside in the district they represented in public assemblies.

⁴⁹ Consult the *Pennsylvania Gazette*, April 30, 1788, quoted in Libby, *op. cit.*, pp. 65-66, for a view that only Baltimore and Harford counties really contained a majority of Anti-Federalists. Hanson, whose testimony is leaned on heavily by secondary writers despite his prejudiced point of view, doubted if a single voting district had a majority against ratification. See Hanson to Madison, Annapolis, June 2, 1788, in *Documentary History of the United States*, IV, 646.

appointed a committee of five to inspect election returns. Two of its members were Johnson and J. T. Chase, the former being chairman. Not until Thursday did Samuel Chase, Luther Martin, and William Paca put in appearance.⁵⁰ On Tuesday, various rules of procedure were adopted, one being that all sessions were to be open to the public. Johnson's committee certified the election of seventy-two delegates from the counties and two each from Annapolis and Baltimore.⁵¹

The following day (Wednesday, April 23) saw the Constitution read for the first time. The momentous decision was reached that after a second reading a full debate was to ensue. But no resolution was to be considered upon any part of the Constitution. There was to be merely the "grand question" of accepting or rejecting it *in toto*.⁵² Apparently the rightists had decided in caucus that it was improbable "any new light could be thrown on the subject; that . . . the main question had already, in effect, been decided by the people, in their respective counties."⁵³ It was their policy to do little talking, scarcely deigning to notice the questions raised by the extremists.⁵⁴ In fact, they claimed that most of the week was spent "either in waiting for absent members of the minority, or in the most patient attention to objections, which were familiar to almost every auditor."⁵⁵

Probably the most remarkable feature of the Convention had to do with the consideration of amendments to the Constitution. The primary sources throw comparatively little light on this problem.⁵⁶ All that can be said definitely is that with Paca's arrival on Thursday the cause of amendments always had a vigorous proponent. His first act was to ask permission to submit amendments, not as "conditions of ratifications," but as "standing instructions to our

⁵⁰ *Documentary History of the Constitution*, II, 103. Paca's arrival on Thursday afternoon brought the total attendance to 74. Pinkney had arrived the day previously. See *ibid.*, p. 102.

⁵¹ *Ibid.*, pp. 100-102.

⁵² *Ibid.*, p. 103; Elliot, *op. cit.*, p. 547; *Maryland Gazette*, April 24, 1788.

⁵³ Hanson, "Address of the Majority at the Maryland Ratifying Convention," *Documentary History of the Constitution*, IV, 650. Steiner, *American Historical Review*, V, 207, used this in manuscript form as a part of the Madison Papers. Daniel Carroll is credited with its being preserved in this fashion. Steiner erred in believing that it had never been published. See *ibid.*, p. 220.

⁵⁴ Elliot, *op. cit.*, pp. 548-549.

⁵⁵ Hanson, *op. cit.*, p. 651.

⁵⁶ The best secondary accounts are based on Hanson's "Address of the Majority," Elliot's *Debates*, newspapers, and letters. See Scharf, *op. cit.*, II, 542-545, and Bancroft, *op. cit.*, II, 282-284.

representatives in Congress.”⁵⁷ Johnson, declaring “The request reasonable and that the gentleman ought to be indulged,” made a motion to adjourn until the following morning.⁵⁸ Possibly having no instructions for such a situation, the rightists permitted the motion to be adopted.

However, when Paca arose to submit his proposals on Friday, George Gale succeeded in having him ruled out of order. The former, naturally, deemed that he had been ill used. It was the contention of the rightists that the adjournment on the preceding afternoon had not signified compliance with Paca’s request but merely to give time for reflection on whether he should be permitted to carry out his proposal.⁵⁹ Pinkney must have thought of this rationalization in his later dealings with Canning and Circello.

So Paca and Chase finally had to yield to Hanson. The Constitution was ratified in its original form without reservations on Saturday, April 26, by a vote of 63 to 11.⁶⁰ The jubilant Federalists henceforth pointed to this vote as evidence of there being little objection to ratification in Maryland, not bothering to mention the reluctance with which the moderates voted affirmatively.

The persistent Paca now once again sought permission to submit his amendments. Many who had previously objected on the grounds that they had been delegated for the express purpose of voting only on accepting or rejecting the Constitution now were disposed to humor him. The vote was 66 to 7 for appointing a committee to consider the matter.⁶¹ To Hanson’s disgust they apparently proceeded under the specious reasoning that they were acting as private citizens rather than as an official body.⁶² Thus did Pinkney first meet a practice that is a favorite device of diplomacy—the unofficial conversation or letter.

⁵⁷ Hanson, *op. cit.*, pp. 651-652.

⁵⁸ *Ibid.*, p. 652. McHenry, in a letter to Washington the following month, blamed Johnson for innocently lending himself to a cause injurious to the Federalists. See Steiner, *McHenry*, p. 112. Johnson, writing to Washington on Oct. 10, 1788, accounted thus for his actions: “I was not well pleased at the manner of our breaking up. I thought it to our discredit and should be better pleased with the constitution with some alterations, but I am far from wishing all that were proposed to take place.” See *ibid.*, p. 113 (footnote).

⁵⁹ Hanson, *op. cit.*, pp. 652-653.

⁶⁰ *Documentary History*, II, 104-105; Elliot, *op. cit.*, p. 549; *Maryland Gazette; or, the Baltimore Advertiser*, May 6, 1788.

⁶¹ Elliot, *op. cit.*, II, 549.

⁶² Hanson, *op. cit.*, pp. 654-655. As a matter of fact, Madison had expressed the view that the legislature had left the door open for the consideration of amendments. See his letter to Jefferson, New York, Dec. 9, 1787, *Letters and Other Writings of James Madison*, I (New York, 1884), 364.

It is outside the scope of this article to give a detailed account of the activities of the committee of thirteen which President Plater appointed. Paca as chairman could rely on the votes of the Chases, Johnson, and Mercer, but Hanson dominated the other seven members. For a time it seemed that thirteen of Paca's twenty-eight suggestions (they constituted a Bill of Rights) might possibly be accepted.⁶³ After a series of subtle efforts on the part of the opposing leaders to out-manuever each other, Paca finally submitted no recommendations to the impatient delegates on Monday, although he read the measures which had elicited most approval during the sittings of the committee.⁶⁴ Despite the union of the extremists and the moderates, the rightists now forced final adjournment by a vote of 47 to 27.⁶⁵ Apparently they had decided that to submit amendments after ratification might look like blind voting to the people of Maryland and might hurt the proponents of ratification in other states.⁶⁶

The sixty-three who had voted for ratification two days previously now signed the Constitution.⁶⁷ The eleven who had voted in the negative, along with Paca, signed a kind of minority report, in which they sought to lay before the people the thirteen amendments which had been tentatively approved by the committee of thirteen.⁶⁸ It was this latter action which provoked Hanson's "Report of the Majority," written June 2, 1788, but apparently not made use of at the time.⁶⁹ He reached the conclusion that the only ground upon which the convention could be condemned was "That it manifested a transient inclination to adopt improper means for attaining a valuable end."⁷⁰ Curiously

⁶³ Hanson, *op. cit.*, p. 664; Steiner, *American Historical Review*, V, 220.

⁶⁴ Hanson, *op. cit.*, p. 663; Elliot *op. cit.*, p. 555.

⁶⁵ *Ibid.*

⁶⁶ At least this is Steiner's conclusion. See *American Historical Review*, V, 217. Cf. Scharf, *op. cit.*, II, 545.

⁶⁷ *Documentary History*, II, 121-122.

⁶⁸ Elliot, *op. cit.*, pp. 555-556; they were published in the *Maryland Journal and Baltimore Advertiser* (Baltimore), April 29, 1788; in the *Maryland Gazette*, May 1, 1788; and in the *Maryland Gazette*; or, the *Baltimore Advertiser*, May 6, 1788.

⁶⁹ Hanson, *op. cit.*, p. 664; Steiner, *American Historical Review*, V, 220. A short notice addressed "To the People of Maryland" appeared in the *Maryland Gazette*; or, the *Baltimore Advertiser* on May 9, signed "One of the Committee." It declared that a report of the majority would soon be printed. A similar statement appeared in the *Maryland Gazette* on May 8, 1788. This provoked a capable letter on the Convention in the latter paper on May 15, signed "A Member of the Convention."

⁷⁰ Hanson, *op. cit.*, p. 647.

enough there came a time when most of the minority probably would have been rather inclined to concur. But that was after the adoption of the first ten amendments and a successful demonstration of the superiority of the Constitution over the Articles of Confederation.

IV. SPECULATION REGARDING THE ROLE PLAYED BY PINKNEY

In his later life, when Pinkney had established himself as one of the best constitutional lawyers in the United States, he usually took the position of a good Hamiltonian. He apparently never referred to his being opposed to ratification in 1788. In time it was almost forgotten. Wheaton, his first biographer, was unable "to find any traces of the part he took in the [Annapolis] deliberations."⁷¹ His second biographer, the Reverend William Pinkney, believed that his uncle cast an "affirmative vote" at the ratifying convention.⁷² Although most of the minority later became staunch Federalists, it may be of some value to attempt to account for the actions of the young attorney.

It might be suggested that as the son of a Loyalist he naturally would have sought to prevent the establishment of a strong central government in the United States. Aside from the fact that Pinkney did not share his father's political views, as was earlier pointed out, is the rather astonishing circumstance that opponents of ratification were more likely to have been Sons of Liberty during the Revolution than Loyalists.⁷³ An interesting sidelight is the view that the mere fact that Attorney General Martin opposed ratification would have impelled many Tories to favor it.⁷⁴

A better thesis would be that gratitude alone would have prevented Pinkney from supporting Hanson, Chase's political enemy (not to mention the fact that it would have been rather awkward for a young man to have opposed an outstanding member of his own delegation like Martin). As a matter of fact, Pinkney probably was of only nominal assistance to Chase at Annapolis. The chances of the minority actually would have been enhanced if

⁷¹ Wheaton, *William Pinkney*, p. 7.

⁷² Pinkney, *William Pinkney*, p. 17.

⁷³ This was particularly true in Virginia. See Hugh B. Grigsby, *The History of the Virginia Federal Convention of 1788* (Richmond, 1890), in volume 9 of the *Collections of the Virginia Historical Society*, p. 49.

⁷⁴ Libby, *op. cit.*, p. 33.

Martin's colleague from Harford County had been an older Anti-Federalist who could have added prestige to the little group opposing Hanson. Nevertheless, after Pinkney once chose to offer himself as a delegate, it would have ill befitted him to have acted otherwise at the convention. Many years later he was highly censured for failing to serve with Martin as one of Chase's defenders in the famous impeachment proceedings of 1805.⁷⁶ Pinkney finally found it necessary to make the following statement to a friend regarding his relations with Chase:

... I will only say that I am not Mr. Chase's enemy, although in return for unwearied services and a zealous attachment of more than twenty years, during which no discouragements could drive me from him, he has lately been induced to act as if he were mine. Ingratitude is a harsh word, and they who have ventured to apply it to me, should first have been sure of their facts. They will, I presume, take care not to force such observations too much upon my notice.⁷⁶

But the best explanation may well be the simplest one. Throughout his life, whether he was in Annapolis, London, or Washington, Pinkney ever displayed independence of action based upon his convictions. So, in 1788, it probably made no particular difference to him that Alexander Hamilton, James Madison, and Alexander C. Hanson were spokesmen for a majority group. He seems to have honestly believed that better arguments were advanced by George Mason, Patrick Henry, Thomas Jefferson, and many of his friends in Maryland. Certainly he would have been little affected by comments like Rufus King's on Martin's speech of June 27 and 28 at Philadelphia, that the "principles . . . [were] right, but . . . [could] not be carried into effect."⁷⁷

⁷⁶ John Trumbull, *Autobiography, Reminiscences and Letters* (New York, 1841), pp. 240-241.

⁷⁶ Pinkney to Cooke, London, Oct. 5, 1806, in Wheaton, *William Pinkney*, pp. 53-54. Two years later, Pinkney told his brother that Chase had given him up entirely. See William Pinkney to Ninian Pinkney, London, April 28, 1808, in Pinkney, *William Pinkney*, p. 50.

⁷⁷ Everett D. Obrecht, "The Influence of Luther Martin in the Making of the Constitution of the United States," in the *Maryland Historical Magazine*, XXVII (Sept., 1932), 188. With the notable exception of the writings of Judge Edward S. Delaplaine, of Frederick, far too many of the distinguished Marylanders of this period have been neglected by biographers.

CIVILIAN DEFENSE IN BALTIMORE, 1814-1815

MINUTES OF THE COMMITTEE OF VIGILANCE AND SAFETY

Edited by WILLIAM D. HOYT, JR.

(Continued from Vol. XXXIX, page 224, September, 1944)

The work of the Baltimore Committee of Vigilance and Safety did not come to an end with the repulse of the British at North Point and Fort McHenry. Preparations for the defense of the city were continued: construction of fortifications in the eastern and southern sections was pushed to completion, and careful tests of the supplies of ammunition were made. In addition, those killed in the engagement with the enemy were buried, and the wounded were carried to the hospital for treatment. But perhaps the biggest problem was that of money; how were the numerous and heavy expenditures to be defrayed?

The importance of the financial side of civilian defense was recognized by the business men on the Committee, and a delegation was appointed to go to Washington to discuss the matter with no less a person than the President of the United States. The personnel of this group—Col. John Eager Howard, William Patterson, and William Wilson—was an indication of the urgency of the situation, for these men were among the most prominent citizens of the community. Their report, and that of a second delegation, gave detailed accounts of conversations with President Madison, the Secretary of War, and the Secretary of the Treasury. The solution was a loan from the Committee to the Government; i. e. funds were raised by the Baltimoreans for their own expenses, which were to be repaid by the issuance of Treasury certificates.

Contributions of money were received from private individuals throughout the period, and lists of the donors with the sums given

were published regularly in the newspapers. On October 14, the Baltimore Theatre gave a benefit performance, featuring the comedy, "He Would be a Soldier," and \$180 was raised on that occasion.¹²² Peale's Museum likewise contributed the proceeds of one day's admissions, though it is doubtful if the total was very large.¹²³

The work on the fortifications was performed, during late September and early October, by volunteers from among the military organizations in the city. Company after company offered its services, and it seems to have become a sort of badge of honor to have wielded pick and shovel in manual labor on the earthworks. Among those who earned blisters on their hands were the Company of Bakers, Capt. John Shriver's company of riflemen from York, Pa., and several groups of Frederick County militia. In some places, free people of color were employed at fifty cents a day and rations. Carts and drivers were much in demand, and patriotic citizens who offered their equipment and workmen were much applauded.

The ladies did their share, too, in much the same way as in 1944. On September 12th the newspapers carried an advertisement: "BANDAGES. The Patriotic Ladies of the city, have now an opportunity of rendering assistance to their country-men in arms, by sending old linen or muslin, to Mr. Gatchel at the city Hospital, for the benefit of those who (in case of an engagement) may be wounded. The sooner these things are received the better." A week later (September 20th), Mr. Gatchell published a card of thanks for donations to the hospital, including jellies and preserves of all sorts (strawberry, crabapple, grape, peach, raspberry, currant, guava, pear) and "genuine marmalade." The donors named were Mrs. Samuel Harris, Mrs. Samuel Hollingsworth, Mrs. Henry

¹²² "CITY DEFENCE—BALTIMORE THEATRE. The Public are respectfully informed that the profits of this night's performance will be appropriated to aid the fund FOR THE DEFENCE OF THE CITY under the direction of the Committee of Vigilance and Safety. ON FRIDAY EVENING, 14th inst. Will be presented the favorite Comedy of *He would be a Soldier*. After the Comedy will be performed the Broadsword Exercise by Miss Abercrombie, Comic Song by Mr. Jefferson, Military Hornpipe by Mr. F. Durang, Patriotic Epilogue by Mrs. Mason, Song—'Strike the Bold Harp,' by Mrs. Green. To which will be added, the Farce of *THE REVIEW*." (Baltimore) *American & Commercial Advertiser*, October 13, 1814.

¹²³ "TASTE & PATRIOTISM. PEALE'S MUSEUM, AND GALLERY OF PAINTINGS, In Holliday Street near the Theatre, will be devoted on Monday the 17th inst. to aid the fund FOR THE DEFENCE OF THE CITY. The sum received on that day will be given to the Committee of Vigilance and Safety." *American*, October 15.

Craig, Mrs. William Woods, Mrs. Isaac McKim, Mrs. William Lorman, and Mrs. John Eager Howard. On October 2nd the steward acknowledged the receipt of ten linen pillow cases "From a worthy Lady" and a demijohn of first quality Maderia wine from MacDonald & Ridgely. As late as October 17th, the hospital received "for the relief of the sick and wounded" four "elegant hams" from General Charles Ridgely and two from Mr. John Hollins.¹²⁴

The Committee itself continued with routine, but important, matters, such as the arrest and trial of persons suspected of hostile views or intentions, and the preparation of scows to be ballasted and sunk in the river.

Baltimore 15th September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—the proceedings of yesterday afternoon were read—

Resolved, That the Requisition from Major Armstead requesting the aid of the committee in procuring Timber and other materials to render the Magazines at the Fort bomb proof be referred to Mr. Jamison with instructions to furnish the same as expeditiously as possible—

The following letter was read agreed to and ordered to be sent—

"To our fellow citizens of the City of Baltimore Carpenters owners of Slaves,

Gentlemen,

You will render an essential service to the Committee of Vigilance and Safety as well as to the City if you can hire us your black Carpenters to work at the Fort at Camp-Look-out, in laying floors &c.—

We want them to-morrow morning at 6 O'clock and let them bring their tools with them—The white Carpenters are all now on duty—15th Sept—1814"—Ed: Johnson Chair—

The Committee appointed to superintend the funeral of our brave dead report in part, That, they proceeded this day to the field of Battle and have removed from thence two of the only remaining dead bodies, the third being at the same time removed by his friends—The committee have also procured the removal of two wounded men who were remaining at a House in the vicinity of the Meeting House—Mr. Frisby is requested to ask of Mr. Townsend that he will do them the favour to cause to be completed the interment of the Enemy's dead who are now imperfectly buried—

The following Letter was then read agreed to and ordered to be sent—

¹²⁴ All these notices appeared in the columns of the *American*.

" Major Armstead

Sir

This Committee have received with pleasure and are executing with all possible promptitude your requisitions to promote the Security of the Magazines and of our brave Countrymen under your command—

The Committee very respectfully tender to you any services which it may be in their power or in the power of their fellow citizens to render, and they intreat of you unsparingly to make any demands upon them which may contribute to the safety and comforts of those who are immortalizing themselves in the common cause of our beloved Country—We have the Honor to be with the highest consideration, Sir your obt St—

Resolved, That Mr. Daniel Conner be and he is hereby authorised and directed to procure two or three cords of wood four dozen earthen cups & plates three dozen bleeding bowls four dozen Iron spoons, & fifty blankets, immediately for the use of the Hospital—

The Committee received a Communication from Mr. James Beatty which was read and ordered to lie on the table—

The Committee then adjourned to 3 O'clock P. M. this day

Baltimore 16th September 1814

Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of the forenoon were read—

Resolved, That the communication from the Major General of this date be and the same is hereby referred to Col: Howard, Mr. Etting and Mr. Payson who are requested to draft a proper answer thereto and report the same to morrow—

Resolved, That the provisions now on hand which have been cooked for our Soldiery shall be delivered over to the Committee of Relief to be by them disbursed in such manner as they shall think proper—

The following address was read agreed to and ordered to be published—

"The good sense and patriotism of the Editors of News papers throughout the United States, are appealed to, for the suppression of all speculative opinions and communications, respecting the recent and pending interesting events in this city—All the energies, of all the Military as civil authorities, are in active operation to resist and repel an impetuous foe; and with the aid of a kind Providence, they feel sufficient confidence in the result—

The Committee can duly estimate the solicitude of their distant Countrymen, to obtain information of the probable fate of our City; but if this information be derived from unofficial sources it will probably be incorrect and cannot be useful—

The Committee therefore request the Editors of News Papers, to publish with great caution, if indeed they publish at all, any communications from Baltimore, except those from the constituted civil or military authorities;

and the Committee for the gratification of their Countrymen, will occasionally publish such information as may be relied upon—

The Committee then adjourned to 8 O'Clock tomorrow morning—

Baltimore 17th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment—The proceedings of yesterday were read—and nothing being communicated or proposed for adoption the Committee adjourned to 3 O'Clock P. M. of this day—

Baltimore 3 O'Clock P. M. 17th September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—

The Committee received a verbal communication from the Major General requesting that, labourers should be immediately employed to carry on & complete the works of Defence on Chinquepin Hill—

Resolved That Capt. Joseph Smith the Harbour Master with Capt. S. Poor ¹²⁵ be and they are hereby requested to assist the Committee heretofore appointed to procure five ships or other Vessels or as many more as may be deemed necessary, and to have them balasted and hauled out into the River to be sunk in such place as Commodore Rodgers' shall direct—

Resolved, That F. I. Schwartz, ¹²⁶ George Auckerman, Ludwig Herring and Samuel Fry ¹²⁷ be and they are hereby requested to attend during the hours of labour at Fort McHenry for the purpose of superintending the labourers employed therein and of aiding to the best of their skill and judgment those who have charge of the works—

The following Letter was read, agreed to and ordered to be sent—

To Capt. S. Babcock ¹²⁸

Sir

The Committee of Vigilance and Safety having full confidence in your ability as an Engineer and your zeal as an officer request you immediately to repair to Fort McHenry for the purpose of directing the completion of the works at that important Fortress and this Committee will render you all the aid that may be requested to fulfil the Requisitions of Major Armstead—We have the Honor to be with the highest Consideration Sir your obt St—”

The following Letter was read & agreed to and ordered to be sent—

To Maj. DeFouvel

Sir

The Government of the United States having placed Capt. Babcock as an Engineer at this Port and as Fort McHenry is the property of the

¹²⁵ Samuel Poor, sea captain, 16 Albemarle St.

¹²⁶ Frederick Schwartz, merchant, dw. 66 Hanover St.

¹²⁷ Samuel Frey, merchant, 108 Sharp St.

¹²⁸ Samuel Babcock, of Massachusetts, 2nd Lt. of engineers 1808, 1st Lt. July 1812, captain Sept. 1812, major 1819, resigned 1830.

United States and commanded by a United States officer, the Committee of Vigilance and Safety now deem it proper that any works to be made at that place should be projected and superintended by that officer—They therefore avail themselves of this occasion to return their thanks for the prompt offer you made of your services at the moment of threatened danger—

But for the before mentioned reasons the Committee will in future dispense with your services there and will avail themselves of your good offices whenever occasion may require—We have the honor to be with the highest consideration Sir your obt—St—¹²⁹

The following Letter was read agreed to and ordered to be sent—

To Major General Samuel Smith—

Sir

The Committee of Vigilance and Safety have to acknowledge the receipt of your Letter of yesterday and to assure you that, they concur with you as to the propriety of a continuance of our joint and best exertions to sustain & improve our means of resistance—The committee are sensible that we ought to avail ourselves of the opportunity afforded us by the suspension of the enemy's attack, to complete our works, and that it would be unwise to relax in our preparations for defence—The committee embrace the opportunity to assure you that all the means in their power will be used to aid you in these necessary measures—we have the honor to be with the highest consideration Sir your obt st—

The committee then adjourned to 9 O'Clock tomorrow morning

Baltimore 18th September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—the proceedings of yesterday afternoon were read—and nothing being communicated or proposed for adoption the Committee adjourned to 4 O'Clock P. M. of this day—

Baltimore 4 O'Clock P. M. 18 September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—

The committee received a communication from Major General Smith inclosing a Letter from Brigadier General Winder relative to the necessary articles required to make the Magazine at Fort McHenry Bomb proof—

Whereupon the following letter was read, agreed to and ordered to be sent—

¹²⁹ The *American* of September 20th printed an open letter from Lt. Col. DeFauvel "To the Inhabitants of Baltimore," offering his services for the construction of two mortars "which will throw a bomb the distance of three miles." The only compensation desired was that the shells should bear the name of the inventor—DeFauvel.

To Maj. Genl S. Smith

Sir

Your letter inclosing a communication from Brig. Genl. Winder relative to a requisition for the necessary materials for the purpose of making the Magazine at Fort McHenry Bomb proof has been duly received and shall meet with our immediate attention—

We beg you to be assured that this committee will feel great pleasure in cooperating with the Military in any further additional measures for the defence of our City—

With great Respect we are your Obt Sts—

Resolved, That Messieurs Warner and Berry be and they are hereby appointed to furnish the Bricks, Lime, Sand, Brick-layers and Carpenters that shall be found necessary to complete the works at Fort McHenry agreeably to the requisition of the Major General—

Resolved, That Mr. Burke and Mr. Jamison be and they are required to furnish Timber as required by the Major General's communication of this date for the completion of the works at Fort McHenry—

The committee then adjourned to 8 O'Clock tomorrow morning—

Baltimore 19th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of yesterday were read

The Committee received a communication from Joseph Townsend, of the Society of Friends, who had been requested to bury the Dead found on the ground on which the Battle of the 12th Inst was fought, stating that he had caused to be buried such of the British dead as were found lying on the surface and reinterred those that were not sufficiently covered amounting in all to forty two; and that two of the American Dead found on the field of Battle he had caused to be decently interred, the numbers brought to Town by the Friends of the deceased not known (stated however in committee to be 17) and that in performing these offices as required he had incurred some expense as per account therefore—

Ordered That the Committee of Accounts pay the expense incurred in burying the dead as abovementioned immediately—

The Committee then adjourned to 3 O'Clock of this day

Baltimore 3 O'Clock P. M. 19th September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—The proceedings of the forenoon were read—

The Committee received a Communication from Com: Rodgers relative to certain transactions at Fort McHenry—therefore

Resolved, That the Letter from Com: Rodgers of this date be and the same is hereby referred to Col. Howard and Mr. Payson with a request that they will consider thereof, confer with Maj. Armstead and report to this Committee at the next meeting—

The Committee received a letter from Mr. E. B. Caldwell directed to Mr. Robert Barry, says that, "Col. Monroe had authorised him (Caldwell) to state that if the corporation or inhabitants, would have Fort McHenry bomb proof it would be reimbursed by government at the end of the war" and that "the particular mode of transacting the loan and doing the work may be the subject of communication with the corporation or citizen"—which letter was read and ordered to be filed—

Resolved, That Dr. Schwartze junr. be and he is hereby authorised and requested to have mortars and shells made and cast as required by Maj. Armstead under the direction of Capt. Babcock—

The Committee then adjourned to 9 O'Clock tomorrow morning—

Baltimore 20th September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—The proceedings of yesterday were read—

Resolved That, the Chairman of this Committee, Mr. Payson and Mr. Lorman be and they are hereby appointed to wait on the Marshal and know if there [are] any Alien Enemies now in this City and if so that the Marshal be urged & requested to send them out of Town immediately.

The committee to who the letter of Commodore Rodgers of the 19th instant was referred beg leave to Report, that, they have conferred with Major Armstead who informed them that he was not acquainted with the person alluded to before he was introduced to him on the ground by Mr. Kelso or some other person—That supposing he had some knowledge as an Engineer he wished he might be employed, but is now satisfied that the said person is not acquainted with the kind of works necessary in Fort McHenry yet he does not consider him as such a dangerous person as to make it necessary to arrest him—The Committee are therefore of opinion that no further proceeding is necessary at this time, but as every precaution ought to be taken in the present state of things they recommend that an eye be had to the person in order to ascertain as far as can be done his character, and in case of his being missing that it should immediately be known, or if circumstances should be discovered which might excite stronger suspicions that then he may be arrested—

Which Report was read and concurred with—

This Committee having been informed that the Forces under the Command of Brig. Genl. Winder, and Com: Rodgers with the men under his command were ordered away—and it appearing from an estimate of the expenditures already incurred, and a review of the works of Defence which have been completed & are now carrying on under the Superintendence of this Committee, as directed by the Military Authorities and at the Cost of the City of Baltimore, that the expense of Fortifying our City is likely to be very considerable also the heavy losses of many of our fellow citizens whose property has been used or destroyed in order to contribute to our general safety—And this Committee feeling a Confidence in the justice and liberality of the Government: therefore—

Resolved, That Col. John E. Howard, Mr. William Patterson and Mr. William Wilson be and they are hereby appointed to wait on the President of the United States & Heads of Departments and respectfully communicate to them the situation of the City of Baltimore; to state the amount of the sums of money that have been already expended as well as the amount that will probably yet be wanted; to endeavour to obtain from the Government an appropriation sufficient to reimburse all expenditures that have heretofore been made and also to meet any expense that may hereafter be incurred in erecting and completing necessary Works of Defence, as well as to reimburse our fellow citizens for any injury or destruction of their property made necessary for the better defence of the City: And finally that they be charged to beg of the Executive to hold a sufficient Military Force near Baltimore so long as the Enemy remain in any considerable strength on the waters of the Chesapeake—

The committee then adjourned to 9 O'Clock tomorrow morning—

Baltimore 21st September 1814

The Committee of Vigilance and Safety met pursuant to adjournment; the proceedings of yesterday were read—

Resolved, That Mr. Stouffer, Mr. Dugan & Mr. Alricks be and they are hereby appointed to ascertain and as far [as] practicable adjust our expenditures and disbursements among the military and to procure proper vouchers for the same—

It being supposed expedient for the greater protection of our City that, a suitable number of the good Guns that can be procured including twelve pounders and those of larger Calibre be mounted on sufficient Carriages, therefore—

Resolved, That the Committee appointed on Gun Carriages, be requested to take to their aid Col: Harris,¹³⁰ Maj: Thomas Tenant¹³¹ and Cap. Stiles¹³² who at the request of this Committee will render all the aid in their power, and that they proceed without delay to have them so mounted on Carriages with all possible expedition, as will place them in an efficient state for Service—and that the same Committee enquire w[h]ether Ball sufficient of the different sizes required are Cast, and whether in a convenient situation for use—

Resolved That Mr. Etting be requested to wait on Capt. Evans at Fort McHenry, and converse with him generally on the state of the powder at the Fort—

The Committee then adjourned to 9 O'Clock tomorrow morning—

Baltimore 22d. September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—The proceedings of yesterday were read—

¹³⁰ David Harris (1770-1844), merchant, dw. Mulberry nr. Howard St.

¹³¹ Thomas Tenant (1769-1836), merchant, George St.

¹³² George Stiles (1760-1819), merchant, dw. King George St.—mayor, 1816-19.

Resolved, That the Committee on Gun Carriages be & they are hereby authorised and requested to purchase for the use of the City of Baltimore, of Mr. Dorsey fifteen of the eighteen pound Guns now in the care of Maj. Tenant, which Guns shall be proved—

The Committee then adjourned to 9 O'Clock tomorrow morning

Baltimore 23d. September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—The proceedings of yesterday were read—

Mr. Etting who was appointed to enquire & report to this committee the nature and strength of the powder at Fort McHenry Reported, That the powder was yesterday tried and found to be of the following proofs, to wit: Canon 170 yards—Musket 171—F. Duponts, 205, according to the usual mode of 1 oz troy weight—

The Committee then adjourned—

Baltimore 24th September 1814—

The Committee of Vigilance and Safety met pursuant to adjournment—The proceedings of yesterday were read—

The committee appointed to proceed to Washington and wait on the President of the United States and Heads of Departments, beg leave to report that they waited on the President who received them with marked attention and shewed every disposition to afford us all the means in the power of the Government for the defence of our city, consistent with the attention due to the protection of other places—With respect to the expences for the fortifications he observed that, all objects which can be brought under the appropriation laws would be immediately paid—That the part for which no appropriations are made would be included in an equitable arrangement which would be made with respect to Baltimore as well as other sea ports, and that the Government was disposed to be liberal in those arrangements—That with respect to the disposition of the troops particular attention would be paid to the protection of our City, and that the troops under marching orders were intended to be stationed at some suitable point between Washington and Baltimore so as promptly to move to the assistance of either place—

The committee then waited on the acting Secretary of War who appeared disposed to give them every satisfaction in his power, and freely entered into a candid explanation of the views and intentions of the Government—That with respect to the movements of the troops they should be stationed at some convenient distance from Baltimore so as promptly to come to our assistance, and read to us a letter to General Smith on the subject—That as to the bomb-proof fortifications in the Fort and other works he had written to General Smith to have them done at the expense of the Government, that as to other works which the city might deem necessary the Government would be liberal in reimbursing the expense, but he intimated that the city would have to advance the money; he added that,

the Government was not disposed to be parsimonious—He mentioned the propriety and his desire that the war department may from time to time be furnished with estimates of the probable expenses through Capt Babcock and General Smith—

On their return the Committee met Douglas' Brigade at Vansville, Lavals Horse at Snowdens and the regular troops afterwards, all apparently on their march to Washington—Upon meeting Gen. Winder he mentioned that, Genl. Smith had issued orders for these troops to take post somewhere near the Patuxent, and he did not seem to know the reasons of their moving further—Whether the change of the disposition for the troops has been owing to information received since the Committee was with the Secretary of War, or owing to a want of previous arrangements on the Patuxent for the accommodation of the troops or to whatever cause the committee are unable to determine

Which Report was read and approved—

Resolved, That, Mr. Patterson, Mr. Lorman, Mr. Buchanan and Mr. Armstrong and Mr. Frisby be and they are hereby appointed to take into consideration and Report the plan most advisable for obtaining the funds required to complete the Defences of this City—

The Committee then adjourned—

Baltimore 25th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment: the proceedings of yesterday were read

Mr. Frisby from the Committee who were appointed to investigate cases of individuals who may be accused of being in the constant habit of making use of very intemperate and improper expressions calculated to produce disunion and to defeat the preparations making for the defence of our city made report of sundry treasonable conduct of a certain person named John Kingsmore and a certain other person named John Paul—therefore

Ordered That the said Report be referred to the Mayor with a request that he would send for the witnesses and examine them & have them bound over to appear and testify against the said Kingsmore & Paul and that the said Kingsmore & Paul be arrested and imprisoned to answer the charge of High Treason—

The Committee then adjourned—

Baltimore 26th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of yesterday were read—

Resolved, That Mr. Jamison be and he is hereby added to the committee heretofore appointed on Guns & Gun Carriages—

Ordered, That the Secretary address a letter to General Douglas respectfully requesting him to release the waggon and team of a Mr. Curts which he alledges has been impressed by an officer under Genl. Douglas' command—

The committee appointed to take into consideration and report the plan most adviseable for obtaining the funds required to complete the Defences of the city beg leave to recommend—

That an estimate as accurate as may be practicable be made of the expenses already incurred and to be incurred

That a loan to the United States be opened for a sum to cover the above estimate, the subscribers agreeing to receive United States stock at current value in payment—

That the sums which have been subscribed & placed at the disposal of the Committee of Vigilance be deemed a part of the loan hereby authorised—

That the money thus authorised to be borrowed or so much thereof as may be necessary shall be exclusively appropriated to the Defences and wants of Baltimore—

That Mr. James A. Buchanan, Mr. William Lorman and Mr. Henry Payson be and they are hereby appointed as deputies to proceed to Washington for the purpose of arranging with the Executive or with Congress as to the expenditure of the money, delivery of the United States stock, &c &c; and that the deputation be specially instructed to require that all expenditures incurred or to be incurred for the defense of Baltimore shall be defrayed out of the above fund, if made under the requisition of, or if sanctioned by the commanding General; and that such requisition or sanction, shall legalize all accounts the payment of which is evidenced by sufficient vouchers—all which is respectfully submitted—

Which Report was read and acceded to—

Resolved, That the deputation of members of the Committee appointed to wait on the Executive and Congress as to the expenditure of money &c be and they are hereby requested to remonstrate with the President of the United States against the removal of the Troops destined originally for the defence of Baltimore, as their continuance here is deemed indispensably requisite to the safety and protection of this place—

The Committee then adjourned—

Baltimore 27th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of yesterday were read—

Resolved, That Mr. Taylor, Mr. Woelper, and Mr. Kelso be and they are hereby appointed to superintend the repairing and erection of works of Defence on Chinquipin Hill as required by the Major Generals communication of this date—

It being the opinion of this committee that in the event of the Steam Boat going out of our River she will be liable to capture by the Enemy: and that if such capture should take place the Boat would greatly facilitate the operations of the Enemy seriously to our injury—therefore—

Resolved, That Mr. Waters and Mr. Jessup be and are hereby appointed to wait on the owners or agents of the Steam Boat and represent to them

the serious consequences apprehended by exposing the Boat to Capture and to request that she may be kept within the Basin—

The committee then adjourned—

Baltimore 28th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of yesterday were read—

Resolved, That the Chairman of this Committee be and he is hereby authorised and requested to offer a reward of one hundred dollars for the apprehending and securing in Gaol so that he may be brought to trial, a certain John Paul who has been charged on strong circumstantial evidence of the crime of High Treason against the United States—

Resolved, That Mr. Jessup and Mr. Warner with Col: Maher¹³³ and Mr. Robert C. Long be and they are hereby authorised and requested to visit Fort Covington and Fort Patapsco and inspect the situation of the works and report to this committee tomorrow—

Whereas it has been represented to this committee by the superintendants of the labourers that, the five barrels of whiskey furnished by Messrs John C. White & Sons¹³⁴ are of a quality which cannot be made use of—therefore—

Resolved That the said five barrels of whiskey be returned to Messrs White & Sons as unfit for use and to receive other whiskey of good quality in lieu thereof or otherwise as Messrs White & Sons shall think proper—

The Committee then adjourned—

Baltimore 29th September 1814

The Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of yesterday were read—

The Committee were informed by a letter of this date from Mr. Joseph H. Nicholson¹³⁵ Captain Elect of the Artillery Fencibles that the Company under his command would volunteer their services to labour one day on the works of Defence and that they would turn out for that purpose on Saturday next—¹³⁶

Ordered That the Chairman in reply to Capt Nicholson say to him that this committee will thankfully accept of the patriotic tender of his company's services—

Mr. Jessup from the Committee appointed to visit and inspect the situation of Forts Covington & Patapsco made—

Report, That they did proceed to Fort Covington and did examine every part as minutely as possible and they are sorry to say that they found the

¹³³ Martin Maher, merchant, 11 Spear's Wharf.

¹³⁴ John C. White & Sons, merchants, East nr. Holliday St.

¹³⁵ Joseph H. Nicholson (1770-1817), president of Commercial & Farmers' Bank, dw. 276 Baltimore St.

¹³⁶ The *American* of September 30th had an advertisement by Nicholson ordering his men to assemble on Washington Square "precisely at 6 o'clock . . . in working dress and furnished with a day's provision."

Platform in very shattered and dangerous situation—almost from one end to the other of the gunways, apparently all parts of the platform had received an equal shock, and from every information they were able to collect was caused by all seven of the Guns having been fired at or near the same time—and that it would be attended perhaps with very fatal consequences should a similar exertion be required in the present situation—and that in their opinion immediate attention is necessary to make the required repairs—some other parts, but which are of a trivial nature, they think deserve attention—

Fort Patapsco, they conceive, has received little or no injury—All which is respectfully submitted—

Which report was read approved and ordered to be shewn to the Major General—

The Committee then adjourned—

Baltimore 30th September 1814

The Committee of Vigilance and Safety met pursuant to adjournment—the proceedings of yesterday were read—

Resolved, That the Chairman of this Committee be and he is hereby requested to inform the Marshal of the character and conduct of Lewis Bryers an alien enemy now in Gaol and that he request the Marshal to have him removed according to law—

Resolved, That Maxwell now in custody by order of this Committee be continued in Gaol until he gives security for his good behaviour according to law—

Resolved, That the owners of the Steam Boat be and they are hereby permitted to start her on monday next and to continue her running so long as there is no danger of Capture by the Enemy—

The Committee was informed that Capt. George I. Brown's ¹⁸⁷ Artillery Company offered their services to labour one day on the works of Defence, and would for that purpose turn out when requested any day after Sunday next—

Ordered That the Chairman say to Capt. Brown that the services of the Company under his command will be thankfully accepted and that he will be duly apprised of the day on which their patriotic offer may be executed—

The Committee then adjourned—

Baltimore 1st October 1814

The Committee of Vigilance & Safety met pursuant to adjournment—the proceedings of yesterday were read—

Ordered, That Mr. James Wilson inform Capt. Brown that the proffered services of the company under his command will be acceptable on Tuesday next and that the point of labour shall be designated—

The committee deputed to proceed to Washington, to make certain

¹⁸⁷ George I. Brown (1778-1820), brewer, King George St., dw. 25 N. Gay St.

representations in behalf of the committee of Vigilance & Safety of Baltimore, beg leave to

Report, That they have had an interview with the Secretary of War on Tuesday afternoon, in which they informed the Secretary, that considerable sums had been expended, and would still be required, in providing for the defence of Baltimore; that to meet these, the deputation was authorised to loan to the United States, a sum sufficient to cover them; with the understanding, that as much thereof as might be necessary, should be so applied; and with the further understanding that the expenditures should be deemed to be legal, if made under the requisition or sanction of the Commanding General—The Secretary, expressed, in general terms his acquiescence with the views of the committee, and his belief, that the President of the United States to whom he would present us, would meet the wishes of the deputation—

That according to appointment, the committee was on wednesday morning presented to the President, to whom they made known the nature and objects of their mission—The President expressed, generally, his desire to gratify the citizens of Baltimore; but he suggested, that if our expenditures were informally made, there might be serious legal impediments to their adjustment—The subject underwent considerable discussion, and it was finally agreed, that a representation, in writing should be made by the deputation, which should be liberally considered and to which we should receive a written reply—The deputation, in conformity with this arrangement, prepared a representation, and presented it to the Secretary of War about three O'clock the same day, and a copy of which is herewith presented to the Committee of Vigilance & Safety—

That about 12 O'Clock on Thursday, the deputation being without a reply to their representation, called on and had an interview with the Secretary of War; who preceded his observations, by reading to the deputation, from a Copy in his own hand writing, the items of expenditure, with a list of which the committee had furnished him; and he then remarked, that independently of the circumstances of these expenditures being made under the requisition of the Military commander, which of itself was sufficient to legalize them; they appeared to be such as would be covered by existing laws; that possibly there were some, which would require a liberal construction from the head of the Department, and the deputation might be assured that such liberality would cheerfully be extended to such cases—The Secretary further observed, that the successful resistance which Baltimore had made, was of the utmost importance; whether considered in reference to its own value, or as an example to other Cities, or in its beneficial effects by inspiring confidence throughout the Country—That he was well aware, both from reason and experience, that in times of imminent peril, such as has [been] recently the case with Baltimore, the Commanding General must incur expense, which a rigid construction of law, would perhaps not embrace; but that equity gave the fairest claim for the sanctioning of such expenditures, and that to this he would be particularly attentive—To these observations, he added a recom-

mendation, that future expenditures should be in accordance with established forms—In reply to the observations respecting a loan of money the Secretary read to the Committee, and furnished a Copy of the arrangement made with a Committee from New York; and the deputation were informed, that arrangements would be made with Baltimore as soon as a Secretary of the Treasury should be appointed—In relation to an adequate force for the defence of Baltimore, the Secretary informed the deputation, that the Pennsylvania troops were ordered to be stationed there, and that those which had been under the command of Genl. Winder were ordered to encamp four or five miles beyond Snowden's—That the last intelligence from the Fleet was that they had principally descended the Bay from Patuxent, that many vessels had gone to sea, and it was believed the greater part of the residue would follow—That the people of Baltimore might rely with confidence, on the Watchfulness of Government for their protection; that a large augmentation of force was contemplated (under the expectation of reinforcements having arrived at Bermuda) and that as much thereof as would be satisfactory, should be appropriated to the defence of Baltimore—The Secretary concluded, by observing, that the president had the representation of the committee under consideration, & coincided with him the secretary in the observations which he made to the deputation; that a written reply confirming those observations, would be made, so soon as an unusual pressure of business would permit; that this should not be delayed more than four or five days, and that until its receipt, he requested the committee of Vigilance & Safety to consider his observations as confidential—

All which is respectfully submitted—

Which Report was read and approved and the accompanying documents ordered to be filed—

The committee then adjourned to 10 O'Clock on Monday morning—

Baltimore 3d October 1814

The Committee of Vigilance & Safety met pursuant to adjournment—The proceedings of Saturday were read—

The committee were informed that the company of Independent Blues under the command of Capt. A. R. Levering¹³⁸ offered their services to perform a days labour on the works of Defence when required—therefore

Ordered that the services of Capt. Leverings Company be accepted and the thanks of this Committee presented to him by the chairman—

Resolved, That the committee on Gun Carriages have prepared as soon as possible trucks for each Gun at Fort Camp look out such as the Major General shall approve—

Resolved, That all free people of Colour be and they are hereby ordered to attend daily, commencing with Wednesday morning the 5th instant, at the different works erecting about the City for the purpose of labouring

¹³⁸ Aaron R. Levering (d. 1852), paper store, 901 Baltimore St.

therein, and for which they shall receive an allowance of fifty cents pr. day together with a Soldiers ration—

Resolved That Capt. George Stiles and Capt. Isaac Phillips be and they are hereby authorised to enforce the preceding order and to call to their aid the different Military companies of Exempts or such other aid as may be necessary to its complete execution—

Resolved, That our fellow citizens who are exempt from militia duty be and they are hereby earnestly invited to labour on the fortifications either in person or by substitute, and in the latter case to furnish the substitutes with notes to the superintendents requesting them to certify thereon that the bearer had performed his duty—

Resolved, That the thanks of this Committee be and they are hereby tendered to the military associations who have volunteered their services to labour, and that the committee will be gratified by a continuance of military aid on the Fortifications—

Mr. Frisby from the Committee who were appointed to investigate cases of persons who were alledged to be seditious or disaffected to the Country made Report of sundry treasonable conduct of a certain Luman W. Bishop ¹⁸⁹ of Fells Point—therefore

Ordered, That the said Report be referred to the Mayor with a request that he would send for the witnesses examine and have them bound over to testify against the said Bishop and that the said Bishop be arrested and imprisoned to answer the charge of High Treason against the United States—

The Committee then adjourned to 10 O'Clock tomorrow morning—

(To be continued.)

¹⁸⁹ Liman Bishop, teacher, 14 Ann St.

EARLY MARYLAND BOOKPLATES

By EDITH ROSSITER BEVAN

Ownership of a bookplate implies ownership of books—books which the owner values sufficiently to place therein his personal mark of approval or affection—his bookplate.

The bookplates owned in Maryland over a century ago ran from the elaborately engraved family coat of arms to the naive printed name label, but all bear silent testimony to the fact that many of the sports-loving Marylanders of the eighteenth century were also men of culture who cared for reading as well as for racing.

Many of these bookplates belonged to prominent professional men—lawyers, physicians and clergymen, whose fine libraries are known to us today through the careful analysis of Joseph Towne Wheeler in his series of articles on eighteenth century libraries in Maryland which have appeared in the *Maryland Historical Magazine*. Sometimes these libraries were handed down intact to a son who bore the same name, and the bookplate was used by succeeding generations, which makes it difficult to assign definite ownership to some bookplates which did double duty.

In 1880 the Honorable J. Leicester Warren, later Lord de Tabley, published in London *A Guide to the Study of Book Plates* which is still a standard work and his nomenclature of the different types of bookplates is in general use today. He groups into definite periods the four recognized types of eighteenth century armorial bookplates and gives to each period a suggestive name and approximate dates. Approximate, because in every period there was a transition and over-lapping of styles.

The Maryland colonist, being still an Englishman, followed zealously the fashions of London and what was in vogue there became fashionable a little later in Maryland. As the infant colony lacked fine engravers, the bookplates, until after the middle of the century were English-made and for the most part were ordered by the owner through his agent there. Some Maryland gentlemen sent their sons to England to complete their education and a few plates which attest the fact that the owner attended

one of the Inns of Court were doubtless ordered by young lawyers while still in London—a feather in the cap, so to say, to bring back to Maryland. Typical of such is the plate of John Leeds Bozman, Esqr. of the Middle Temple, in the collection of Maryland bookplates at the Enoch Pratt Free Library.

The earliest bookplates listed by Warren are known as *Early English*, 1700-1740. They may be recognized by the profuse, heavy mantling that springs from the helmet and surrounds the face of the shield, reminiscent of the giant periwigs of that day. The shape of the shield is plain,—severely simple in outline. No accessory ornamentation is introduced and the effect is dignified and formal. Very few of these rare plates have come down to the present day, but a good example may be seen in the plate of "Charles Carroll of Ye Inner Templar Esqr, Second Son of Daniell Carroll of Litterlouna Esqr. in the Kings County in the Kingdom of Ireland. 1702." This plate is in the Maryland Historical Society's collection of bookplates. Charles Carroll, the immigrant, came to Maryland about 1686 and his plate is the earliest known bookplate of Maryland ownership.

The next type chronologically is the *Jacobean*, 1740-1760. Although known as Jacobean it is characteristic also of the Queen Anne and early Georgian periods and may be identified by its absolute symmetry and richly carved appearance. The mantling behind the helmet often resembles the heavy wooden carvings of that day,—sometimes it extends below the helmet, partially framing the shield. The shield is of graceful shape, with edges slightly concave in outline, and is placed against a background or lining composed of small patterns, known variously as fish-scale, diaper and brick wall. Enclosing the whole is a symmetrically curved frame which recalls the carved mouldings of that period. A scallop shell in concave is an accessory often placed directly above or below the shield. Cornucopias of fruit or flowers, sometimes grotesque faces or cherubs are introduced in the ornamentation of the frame. The bookplate of "Jacobus Tilghman, Arm'r, Annapolis," in the collection of the Maryland Historical Society is a fine example of the Jacobean type.

Just as the name Chippendale has become associated with a certain style of furniture, the *Chippendale* bookplate, 1760-1775, is quite distinct from the preceding types and reflects the spirit of that golden age which culminated with the Revolutionary War.

The shield is never symmetrical in outline, resembling an oyster shell or the human ear in shape. Framing the escutcheon is a rococo border of shellwork and scrolls. In lieu of mantling, graceful sprays of foliage and flowers spring in a natural manner from the sides of the frame, and sometimes, nestling inconspicuously among the branches are small objects pertaining to the owner's profession—a quill, an ink well, a globe. Sometimes little landscapes were introduced. The owner's name was often placed in a graceful bracket which supported the shield, as in the plate at the Pratt Library of Anthony Stewart, Annapolis, Maryland, the owner of the brig *Peggy Stewart*, of tea party fame. Sometimes the name is engraved below the shield in fac-simile of handwriting as occurs in the plate of Samuel Chase, the Signer, in the Sill collection at the Baltimore Museum of Art. The delicate charm of the Chippendale plate proved to be its weakness and caused its downfall, for in unrestrained hands, the ornamentation degenerated into a riot of irrelevant, incongruous objects set in an over-loaded frame. Such plates are known today as debased Chippendale.

After the Revolutionary War the swing of the pendulum once more brought a revision in styles. The bookplates of this latter period are known as *Ribbon and Wreath*, a type which remained in vogue till the end of the century and beyond. They are in direct contrast to the fancy-free Chippendale plates, being simple and chaste in design. No mantling is shown nor do they have any background or frame. The shield is usually heart-shaped, sometimes suspended from a wall-pin by a ribbon or festoon; sometimes the escutcheon is supported by crossed sprays of holly and palm or sprays of foliage and flowers as seen in the plate of James Carroll in the collection of Maryland bookplates at the Pratt Library.

Shortly before the turn of the century originality began to assert itself and new types of bookplates sprang into being, notably allegorical, pictorial and landscape plates. These types were well-known in England where they had been used for some time, but never proved generally popular in Maryland. The finest example of a pictorial-armorial plate is in the Sill collection—the plate of Ric'd Bennett Lloyd, Esqr., which was probably engraved in London when Captain Lloyd was with the King's Life Guards.

Seldom found in Maryland were the highly specialized literary

or musical bookplates, and still rarer the style known as "Library Interior," though Maryland is rich in claiming three notable examples of the last named type—all obviously the work of one master engraver, but who he was is an unsolved riddle today. His plate for Isaac Steele is in the Maryland Historical Society's collection, that of William Bond Martin in the Sill collection and the Benjamin Ogle Tayloe plate is in the Baillie collection at the Metropolitan Museum of Art, New York.

The crest alone, with the owner's signature engraved below was often used—a simple and person bookplate. Of greater popularity, however, in the newly democratic State was the engraved name label with finely wrought border, generally oblong in shape through oval and circular wreaths often enclosed the name. Belonging to no special period they have outlasted them all, for their modern counterpart is often seen today.

Contemporaneous with all the fore-mentioned types of bookplates were the printed name labels which merely recorded ownership of a book, occasionally giving a residence and date, as does the plate of Robert Goldsborough, Attorney-at-Law, Easton, Talbot Co. 1772, which is in the Sill collection, but mostly they were modest and unassuming with quaint borders of ornamental type—the product of a local printer. Only two specimens of bookplates belonging to Maryland women are known to us today, both printed labels. The plate of Prudence Gough, Perry Hall, which is in the collection at the Maryland Historical Society, was probably placed in volumes of sermons, for Mrs. Gough was strongly religious. The bookplate of Mary Emerson Trippe, who married Robert Goldsborough in 1768, was found in two volumes of "The Foundling" by Fielding, which are still in possession of her descendants.

Quite distinct and in a class by themselves are the wood-cut plates which Thomas Sparrow of Annapolis engraved for prominent Marylanders of his day, and though they do not rank high as works of art, they are of special interest because of their Maryland origin. All of Sparrow's plates are similar in design, several of them are identical, the only difference being in the printed name of the owner. They may be recognized by his distinguishing mark of thirteen stars set in a small shield in the top center of the wood-cut border. On several plates the initials F. G. are found above the signature—what they signify is not known today. Four bookplates by Sparrow are in the Sill collection, the plates

of Gabriel Duvall, John R. Plater, Richard Sprigg, jun., and John Allen Thomas. Two plates he engraved for John Shaw, cabinet-maker and silver-smith of Annapolis are in the Baillie collection, as are the plates of Alexander Frazier and Thomas Bond. All of Sparrow's bookplates are signed; several of them are dated, which add to their interest.

With the exception of a few wood-cut plates other than those by Sparrow, all engraved bookplates were done from copper plates until about 1820, when steel plates were introduced and superseded copper engraving. Though many creditable bookplates were engraved during the next few decades, they lack the individual distinction found in the older plates. Prevalent were the so-called plain armorial bookplates with spade-shaped shield—competent and correct, but cold as is commercial engraving today. Popular also, were name labels embellished with caligraphic flourishes, though some conservative gentlemen preferred a plate resembling their visiting card. The fore-shadow of the Victorian age of mediocrity was upon the State of Maryland.

Many of the early booksellers in Annapolis and Baltimore had a circulating library in connection with their shop, and used a printed trade card or announcement in place of a bookplate. Ladies and gentlemen were invited to become 'Readers,' and the terms of subscription to the library were generally given. Of more interest perhaps to an antiquarian than to a collector of fine bookplates, these quaint trade cards should not be overlooked. Exceptional is the handsomely engraved card of William Aikman, who advertises his shop in Annapolis just before the Revolutionary War, which may be seen in the Maryland collection at the Pratt Library.

Doubtless many bookplates of Maryland ownership have passed into the limbo of lost trivia. Old houses and their contents have been destroyed by fire. Old families have died out, their household effects scattered. Some families have left the state, taking their goods and chattels with them. Consequently a complete record of early Maryland bookplates is an impossibility, but it is to be hoped that some of these forgotten bookplates will come to light, and rescued from oblivion, will drift back to one of the three fine collections in Baltimore where they will be cherished and preserved for posterity.*

* Mrs. Bevan has presented to the Society the complete draft of the Check List of Early Maryland Bookplates and Trade Cards which she has compiled from the holdings of various institutions and individuals.

POLITICS IN MARYLAND DURING THE CIVIL WAR

By CHARLES BRANCH CLARK

(Continued from Vol. XXXIX, page 161, June, 1944)

THE MARYLAND DELEGATION IN CONGRESS, 1862-1865

The activities of the Maryland delegation in the United States Congress during the war years throw much light upon feeling within the State. Members of the Senate and of the House of Representatives expressed ideas on the war issues for the most part in accordance with the wishes of their constituents. They presented resolutions from the State Legislature; they supported bills that would be of benefit to the State; and they protested vigorously against any measure calculated to inflict injury upon the institutions of the State. They were quick to come to Maryland's defense at all times, although there was not always full agreement even among those representing the State as to what its best interests were. An attempt is made to analyze here only those activities dealing specifically with the situation in Maryland.

During the war period Maryland was represented in the Senate by Anthony Kennedy, James Alfred Pearce, Reverdy Johnson, and Thomas Holliday Hicks, and in the House of Representatives by Charles B. Calvert, John W. Crisfield, John A. J. Creswell, Henry May, Edwin H. Webster, Francis Thomas, Cornelius L. L. Leary, and Benjamin G. Harris. Pearce and Kennedy were both unacceptable as Senators to the most rabid Unionists of Maryland after the war broke out. This group sponsored a resolution, introduced in the State Legislature early in 1862, calling for their resignation. Commenting upon this resolution, the *Frederick Examiner* said that neither represented the wishes or sentiments

of his constituency. "It must occasion" Pearce, said this journal, "a poignant self-reproach, to retain the seat, where his policy is condemned, his acts viewed with suspicion, and his presence regarded as that of a selfish intruder."¹ Kennedy was charged with too strong a Confederate bias, and was said to lack "that uncompromising devotion to the Union, that repugnance to the political heresy of secession . . . that generous support of the Administration which ought to characterize a United States Senator from Maryland." The *Examiner* favored Henry Winter Davis for Senator in case either Pearce or Kennedy resigned as the result of the Legislature's resolutions.

Pearce and Kennedy, however, had no intention of resigning, but in December, 1862, Pearce's severe and apparently fatal illness aroused considerable speculation on his probable successor. Ex-Governor Hicks had many supporters as the logical candidate in case Pearce was unable to continue. Consequently, when Pearce died of heart disease after intense and prolonged suffering on December 20, 1862,² Governor Bradford on December 29 appointed Hicks to fill out the unexpired term. Hicks' appointment had been urged by the *Baltimore American*. It declared on December 25 that "we are sure we express the views of the loyal men of the State—and we may add of the Nation when we respectfully suggest for the high office . . . the honored name of Thomas Holliday Hicks."³ The *Frederick Examiner* was sure that Governor Bradford would "gratify the unanimous loyal sentiment of the State by investing him [Hicks] with the Senatorial toga."⁴ In his letter of appointment, Governor Bradford stated that he could make no appointment more pleasing to the loyalists of Maryland. He urged Hicks to use his new position to help suppress the rebellion, and not to allow subordinate issues to interfere with that attempt.⁵ Hicks was appointed to serve until the Legislature, scheduled to meet in January, 1864, elected a successor to Pearce whose term ran until 1867.⁶ The legislature

¹ January 29, 1862.

² *Baltimore American*, December 23, 1862.

³ December 25, 1862. The *Sun* of this date, carried an item from the *Pittsburg Gazette*, copied from a letter in the *New York Post*, saying that Hicks was a candidate for Congress in the First District on a platform advocating emancipation in Maryland and other states. This paper evidently confused his prospective Senatorship with a seat in the House.

⁴ December 31, 1862.

⁵ Bradford to Hicks, December 29, 1862. Bradford MSS.

⁶ *Sun*, December 31, 1862.

in January, 1864, promptly elected Hicks to fill out the term. There was little opposition to him; he was given 67 votes to 18 for Samuel Hambleton and two for Judge Thomas A. Spence, an emancipationist. The *Baltimore American* said Hicks' election should be viewed as a debt of gratitude to him for the "noble stand" he had taken as Governor. At first the *American* had favored Spence, because of his emancipationist views, but since Hicks and other conservative Unionists had accepted the verdict of the Maryland elections in November, 1863, that returned a majority to the legislature in favor of emancipation, the *American* came out in support of Hicks.⁷

Senator Kennedy's term expired on March 3, 1863, and Reverdy Johnson, who had been elected by the State Legislature on March 5, 1862, to succeed him, took over his new duties in December, 1863. Kennedy had not been a candidate for reelection. His conservatism and opposition to the doctrine of implied powers, as interpreted by Lincoln, had made him distasteful to the party in power in Maryland.⁸ Johnson was elected by a vote of 56-28. In the caucus of the Union members the contest had been a spirited one between Johnson, William Price, who represented the moderate men; and Henry Winter Davis, who represented the more radical element. Johnson was nominated by one vote. Following this, J. V. L. Findlay attempted unsuccessfully to continue the fight by having Thomas S. Alexander of Cecil County run as an independent candidate.⁹ Johnson occupied a prominent position among the people of Maryland and his election was hailed with joy by the Union men. He had been distinguished from the very inception of the struggle and was called the "bulwark of the state against the wild dirges that have threatened her with destruction."¹⁰ It was expected that his unsurpassed talents and great experience would help restore "those relationships between the states which must result once more in giving . . . back a cordial Union." Johnson was called the "truest among the true."¹¹ The

⁷ January 9, 1864; see *Baltimore Sun*, January 9, 1864. The *Baltimore American* said that Hicks' election had also been due partly to the Legislature's detestation of Henry Winter Davis who had been favored by the radical faction.

⁸ Radcliffe, *Governor Hicks*, p. 121.

⁹ The vote in the joint convention of the two houses was as follows: Reverdy Johnson, 56; Dr. Lynch, 7; Thomas S. Alexander, 4; blank votes, 17. *Sun*, March 5, 1862; B. C. Steiner, *The Life of Reverdy Johnson*, p. 57.

¹⁰ *Baltimore American*, March 7, 1862.

¹¹ *Ibid.*

Maryland Union of Frederick said that the "wisdom and patriotism of the present Legislature has been fully vindicated in the election of the Hon. Reverdy Johnson." As a man of "extraordinary ability," his election would "reflect much credit upon the State. He has outlived the day of selfish ambition, and his age and position in life, as well as his past political career," would sufficiently guarantee that he would allow only patriotic motives to influence him in the discharge of duties assigned to him.¹²

Reverdy Johnson's reputation preceded him to the Senate. It is doubtful if he had a superior in that body, certainly not on constitutional questions. Johnson was not an extremist, but a conciliator, driven by expediency to take positive positions. He had many conflicts with Charles Sumner. Bernard C. Steiner, his biographer, says that Johnson "invariably worsted" Sumner on constitutional points. "With Fessenden, he sparred on terms of full equality, and . . . Lyman Trumbull of Illinois, was the only senator, who . . . ever came out victor in a conflict with Johnson."¹³

Maryland's delegation in the House of Representatives was for the most part a loyal one. This was true particularly after the November, 1863, elections. At this time John A. J. Creswell replaced John W. Crisfield as the Representative from the First District. The *Frederick Examiner* called this a "real triumph of principle," since the Eastern Shore was predominantly pro-slavery. Crisfield was a Unionist until slavery was interfered with, and except on that issue had satisfied loyalists and was in harmony with the administration. "His defeat is the reprobation of his constituency."¹⁴ Colonel Edwin H. Webster was reelected in the Second District. Although he had given a feeble and lukewarm support to the Administration in the first session of the Thirty-seventh Congress, he subsequently became an Unconditional

¹² March 6, 1862.

¹³ *The Life of Reverdy Johnson*, p. 62.

¹⁴ November 18, 1863. Creswell was a staunch Unionist from the beginning of the war. See his letter to Andrew McIntire, June 12, 1861. Creswell MSS (Library of Congress, I, # 34). He was elected to the House of Delegates in 1861, and in 1862 was chosen acting adjutant-general of Maryland. In the House of Representatives he served on the committees on Commerce and Invalid Pensions. He was delegate to the Republican National Convention in 1864, and was elected in 1864 to succeed Hicks in the United States Senate. *Portrait and Biographical Record of Harford and Cecil Counties, Maryland*, p. 121; *Dictionary of American Biography*, IV, 541-542.

Unionist and gave proof of his loyalty by his military service in the field. "His approved loyalty and devotion to the cause of the country are an ample guaranty for his future course."¹⁵ In the Third District, Henry Winter Davis succeeded Henry May, who, by representing his position to be a loyal one, had defeated Davis in June, 1861. Davis represented the very acme of Unionism in Maryland. He was the most outspoken of the Maryland delegation in the House, using to full advantage his oratorical abilities and wide range of knowledge to uphold the Union cause. His career had been meteoric. In the House he was considered one of the most dangerous debaters. James G. Blaine said that had Davis been blessed with length of days he would have "left the most splendid name in the parliamentary annals of America."¹⁶ He was as passionate an advocate of civil liberties as Reverdy Johnson. He had opposed secession but was bitter in his denunciation of the tyranny of militarism and the abuse of power by which he considered an autocratic regime had been created. Before the end of 1864, however, Davis went over to the Radical Republicans and attacked Lincoln violently on his restoration policies. He was joint author of both the Wade-Davis Bill and the Wade Davis Manifesto. His position on these policies will not be considered here, however, since they properly belong to a study of Reconstruction.

Francis Thomas, incumbent, was returned to Congress from the Fourth District. He had become, by 1864, an Unconditional Unionist. But here the list of Unconditional Unionists ended, for in the Fifth District, Benjamin G. Harris, Democrat, had taken advantage of the split in the Union ranks and defeated John G. Holland, Unconditional Unionist, and Charles B. Calvert, conservative or conditional Unionist.¹⁷

Various aspects of slavery and emancipation occupied the Maryland delegation in Congress more fully than any other problem that concerned the State. Nearly every important speech made by a Marylander dealt in whole or in part with slavery or emanci-

¹⁵ *Frederick Examiner*, November 18, 1863.

¹⁶ Jesse Frederick Essary, *Maryland in National Politics*, pp. 202-203. Davis first served in the House of Representatives in 1855, and except from 1861 to 1863 he served until his premature death in December, 1865.

¹⁷ *Frederick Examiner*, November 18, 1863. See *Baltimore Clipper*, June 3, 1863 for Calvert's nomination, and the *Sun*, July 15 and October 10, 1863, for his platform. For Harris's platform, see the *Sun*, October 10, 1863, and *Baltimore Daily Gazette*, October 17, 1863.

pation and its effects on Maryland. On January 2, 1862, Senator Kennedy presented a resolution passed by the Maryland legislature that urged the Administration to prosecute the war "with but one object; that, namely, of a restoration of the Union just as it was when the rebellion broke out."

[Lincoln should] resist and rebuke all attempts, from any and every quarter, to convert this war into a crusade against the institution of domestic slavery as it exists in the southern States, under the guarantees of the Constitution, or to take advantage of the troubled condition of our country for the gratification of personal views or sectional prejudices.¹⁸

An identical resolution was introduced in the House of Representatives on January 8 by Charles B. Calvert.¹⁹

Senator Pearce, on January 14, 1862, criticized the District of Columbia Provost Marshal for dismissing runaway slaves from the District jail. He said he believed "an act of emancipation, even a partial one, passed by Congress at this time, would be greatly injurious to interests which all you here I hope have at heart. You cannot expect success in restoring the Union, if it be known that your policy is one of emancipation." Pearce said he was reluctant to speak on the subject of domestic slavery. "During a service of some twenty-five or twenty-six years in Congress," he said, "I have made it a point to abstain from all such discussions, thinking them unprofitable and mischievous and I have never contributed by word of mine, to the agitation of that question here."²⁰ Two days later Pearce spoke in favor of an amendment to a bill which, in his language, "forbade officers and soldiers of the Army from entering, harboring, or preventing the recovery—that is the amount of it—of a fugitive slave, known to be such, upon the application of his master, known to be his lawful owner according to the laws of the state in which he lives."²¹ This bill, said Pearce, would prevent many loyal Marylanders from losing slave property. Throughout the war the problem of runaway slaves continued to harass slaveholders in the State, and the situation became acute after the slaves were emancipated in the District of Columbia and after Lincoln's January, 1863, Proclamation of Emancipation. Representative Benjamin G. Harris said on March 21, 1864, that he would like

¹⁸ *Congressional Globe*, 2nd Sess., 37th Cong., Pt. 1, p. 182.

¹⁹ *Ibid.*, p. 228.

²⁰ *Ibid.*, pp. 312-313, 315.

²¹ *Ibid.*, p. 359.

"to know who furnishes transportation for the slave women and children stolen from St. Mary's County, Maryland. . . . Some of my constituents have been robbed of all their servants. I myself have been a great sufferer." He thought that an Administration "which would sanction such a robbery would be guilty of anything. . . ." ²²

Every Maryland Representative, except Edwin H. Webster who was called home suddenly, voted against Roscoe Conkling's motion, on March 10, 1862, to suspend the rules so he could introduce a joint resolution prepared by President Lincoln in which he proposed aid to any state adopting gradual abolition of slavery. But the rules were suspended by a vote of 86 to 35, and the resolution was introduced. Crisfield said that he favored a postponement of its consideration. Under ordinary circumstances, he said, Maryland would be opposed to the measure, and therefore he desired that his constituents be given an opportunity to express themselves on it. Since he represented a slaveholding Eastern Shore District, he felt sure there was opposition to Lincoln's plan in that region.²³ When the vote was taken, Representatives Crisfield, Leary, and Thomas voted against Lincoln's proposal, and on the following day Calvert recorded his vote similarly. Henry May and Edwin H. Webster did not vote.

Senator Kennedy represented the views of many in Maryland when he spoke out vociferously on March 25, 1862, in opposition to the bill to emancipate slaves in the District of Columbia. He quoted from Governor Bradford's inaugural address of January, 1862, in which the latter urged that slavery be excluded from the war issues. Kennedy then said of slavery in Maryland:

Slavery, in my judgment, is a doomed institution in Maryland, doomed by the irreversible laws of political economy, and further affected by causes arising out of the rebellion, and it needs no unnecessary stimulant to accelerate its decline: but, at the same time, it is surrounded by circumstances which will not admit of interference with the question in this District without producing the most disastrous consequences to the resources and social organization of the State, but most especially to the free negroes themselves. . . .

Slavery abolished in this District, and laws passed against the recovery of absconding slaves, the decrease would be repaid in Maryland, while the free negroes would remain: and from the natural increase alone we would find in a few years one sixth of our whole population of this class,

²² *Ibid.*, Pt. 2, p. 1221.

²³ *Ibid.*, pp. 1151, 1169-1170.

to say nothing of the great injustice to the people of this District which would result from the immense increase of fugitive negroes here by the passage of this bill.²⁴

Kennedy pointed out other ways in which he thought the bill would be injurious to Maryland if passed. He could not avoid speaking warmly on the subject when he considered the "bitter antipathy between the laboring white people and the free blacks," and he spoke as one who had employed both classes. As a member of the District of Columbia Committee, Kennedy presented a petition to the Senate on April 3, signed by 169 citizens of Maryland, protesting against the bill to free District slaves. The petitioners charged that their slaves had escaped to the District and been protected there by government officers. They demanded, therefore, that the Fugitive Slave Law be enforced, or "so amended as to secure to them the safe recovery of such slaves as may escape."²⁵

When the bill to emancipate slaves in the District was taken up in the House on April 10, Edwin H. Webster moved that it be "laid aside." Calvert, May, and Thomas voted against the bill while Leary, Crisfield, and Webster failed to vote. A Baltimore correspondent to the *New York Post* said of this situation:

This means more than meets the eye. These gentlemen have shown a clear appreciation of the future on the subject of slavery in this State. They see that it is speedily doomed, and they have rightly refused to let their voices be heard against the extinction of the curse in the national capital. Mr. Crisfield has 100 slaves and represents the lower district on the Eastern Shore, and he is now in a position to lead the rising anti-slavery hosts that are already beginning to stir in our State. This is also true of Messrs. Webster and Leary, though I believe they are not large slaveholders.

The vote of May and Calvert does not surprise anyone. It would have been a miracle for either of these persons to vote for liberty to the slave anywhere; but the vote of . . . Thomas against the bill grieves and shames his republican friends in the State. His bold and manly stand against the rebel cause and its cornerstone, slavery, . . . last fall, just one year after the republicans were mobbed in the same house by the very men who applauded him to the skies, had won for him the heart of every anti-slavery man in Maryland . . . but shortly after Congress met in December [1861] he began to waver . . . was found voting with the pro-slavery side of the House on every question that looked to the real suppression of the Rebellion, and he has now enrolled his name among the

²⁴ *Ibid.*, pp. 1353-1356.

²⁵ *Ibid.*, Pt. 3, p. 2274.

thirty-nine upholders of slavery at the capital of the republic . . . Western Maryland, anti-slavery by instinct and interest, will have to look for some other leader in the coming election between slavery and freedom.²⁶

Crisfield, the most active of the Maryland Representatives in 1862, protested vigorously on March 25 against a proposed tax of \$5 a head on slaves. He asserted that such a tax in Maryland, where there were approximately 90,000 slaves, would compel the State to pay more than her portion of the direct tax imposed at the last session of Congress. With other taxes levied upon her, Maryland would be paying much out of proportion to her just quota. "This proposition," said Crisfield, "is not for the purpose of raising revenue but for the purpose of striking at an institution which we cherish." Maryland was willing to pay her share of the direct tax, and even prepared to have that tax doubled, yet loyal as we are, and have been, here is this proposition to strike at our interests and to tax us double what other states are taxed. I protest against it in the name of Maryland's loyalty. I protest against it in the name of our oppressed people. I hope that the House will not put us to too severe a test.²⁷

When the debate on the tax bill was resumed on April 4, Charles B. Calvert unsuccessfully proposed an amendment which would allow a tax on slaves under this condition: "*Provided*, however, That this Government shall pay the owners of such slaves as have escaped, or shall escape, through the action of this House and a portion of the Army, the sum of \$1,000 for every slave so escaping."²⁸

When the bill, proposing to abolish slavery in "all places in the States, purchased and ceded to the United States, for the erection of forts, magazines, dock-yards, and other needful buildings, on every vessel on the high seas, and on national highways out of the States, from which and to which they are going," came before the House, Crisfield spoke in opposition. He said the bill would work to the detriment of the institution of slavery in Maryland. He pointed to the Naval Academy at Annapolis, the grounds of which Maryland had ceded to the United States, and said it would become an asylum to which Maryland's slaves might escape, and

²⁶ Reprinted in the *Baltimore Sun*, April 18, 1862, and in the *Maryland Union* (Frederick), April 24, 1862.

²⁷ *Congressional Globe*, 2nd Sess., 37th Cong., Pt. 2, p. 1867 (March 25, 1862).

²⁸ *Ibid.*, p. 1549.

their "just owners" would be "defrauded of their just rights." Crisfield asked: "Do you believe the people of fifteen States are going to stand for this policy? . . . ought to stand for it?" He said it was their right to decide whether they should have slavery within their borders, and denounced the bill as a "palpable violation of the rights of States, and an unwarrantable interference with the rights of private property . . . a fraud upon the States which have made cessions of land to this government. . . ." ²⁹

On May 14 Crisfield spoke on the provision of the army appropriation bill that provided for the confiscation of rebel property and the liberation of slaves. He denied that Congress had power to confiscate such property, and stated that even if Congress had been given such power it would be highly dangerous and inexpedient to exercise it. "The Constitution forbids the absolute forfeiture of the personal estates of the traitor," he said. Crisfield maintained that slavery was

not the cause of this rebellion. It is simply the instrument by which it is carried on. It seeks an aggrandizement for itself or degradation of free labor. It is content with the enjoyment of its rights as defined by the Constitution. But great crimes are committed in its name and guilty ambition seeks to conceal its purpose under the folds of its garment.³⁰

Crisfield warned against confiscation and all other "ultra measures. They only aggravate and intensify passions and prejudices which pervade the country." He felt that real peace would result only from respecting the Constitution and waging the war for its principles. "Then will you have demonstrated before a doubting world, in favor of the dignity of human nature the great problem of man's capacity to govern himself." ³¹

On December 19, 1862, Crisfield delivered a speech on "The Rebellion and the Proclamation." He said that the "insurrection stands without justification in law or morals. It is a rebellion, not against usurpation, not to resist oppression, not to redress grievances, but to overthrow and destroy the government itself." Yet the war had been turned into one for abolition, straying from the original object of suppressing the rebellion. Crisfield cited the Proclamation of Emancipation recently issued by Lincoln, in support of his views. He called upon the Border states to oppose such a policy because the slave-owners would not be compensated

²⁹ *Ibid.*, p. 2049.

³⁰ *Ibid.*, p. 2133.

³¹ *Ibid.*, p. 2134.

and the slaves would suffer in their sudden emancipation. Furthermore, said Crisfield, slaves were private property and therefore could not be emancipated without confiscation.³²

On January 12, 1863, Francis Thomas offered a resolution instructing the committee on emancipation and colonization to aid Maryland in the colonization of her slaves.³³ On the same day, Henry May proposed a resolution looking toward the return of fugitive slaves to Maryland. May's resolution was laid upon the table and he immediately introduced a second one objecting to the military interference with the institution of slavery in Maryland, but this was also rejected.³⁴ May persisted and on January 29 introduced resolutions expressing Maryland's grievances. Once again he was not heard.³⁵ But on February 2, Crisfield successfully pleaded for May, saying "He has not occupied the floor for one hour nor for one moment, I believe, during the present session. I make it a personal request to the gentleman to allow him to be heard now." May then spoke for half an hour against the measure to arm Negroes, for use in the military force. He said the measure was "simply preposterous" as a "manifestation of military strength," and "eminently disgraceful" as an evidence of national policy. May said the Negro, with his "amiable disposition, inert nature, slovenly habits, clumsiness, want of vigilance" was unfit for military service. He also protested against the war and coercion; he favored peace and compromise. He thought that a political union of the North and South would never exist again, and that a commercial union was all that was left. "Separation, *Recognition*, dissolving finally all political and moral relations with the non-slaveholding States now offers the healing balm to the wounded breast of the political abolitionist." May then proposed resolutions providing for peace commissioners who were to compromise the war issues or arrange for a peaceful separation of North and South.³⁶

When the bill providing for Negro enlistments came before the House for a vote, every Maryland Representative present, Crisfield, Leary, Thomas, and Calvert, voted against it.³⁷ Webster later expressed his opposition in a speech on February 28. He

³² *Congressional Globe*, 3rd Sess., 37th Cong., Pt. 1, pp. 147, 149, 150-151.

³³ *Ibid.*, p. 283.

³⁴ *Ibid.*, p. 283.

³⁵ *Ibid.*, p. 382.

³⁶ *Ibid.*, pp. 685-688.

³⁷ *Ibid.*, pp. 699, 695.

said "that if the time ever arrives when the free white men of this country are not equal to the duty of preserving the Union, the institutions of liberty within it, and their own inestimable rights, it is folly, it is shame to imagine that this can be done by the enslaved and degraded negro."³⁸ Webster also protested against the introduction of the Negro question, in any form, into the prosecution of the war. "You must crush the armed forces of the rebellion. This is the only road to a permanent peace and a reconstructed Union. Truces, armistices, compromises, concessions, and conventions at this time will avail you nothing."³⁹

Albert S. White of Indiana introduced a bill on February 25, 1863, from the select committee on emancipation, to give aid to Maryland in abolishing slavery. Crisfield of Maryland objected at once. He said it did not provide for compensation in a satisfactory manner but provided only for an indefinite appropriation, and that Maryland had not asked for it.⁴⁰

The enrollment bill took much of Reverdy Johnson's time in January, 1864. He insisted that owners be compensated for all Negroes enlisted in the Federal service. He voted on January 28 in favor of freeing slaves after they were enrolled, but said he opposed giving freedom to the slave's wife, mother, or children unless the owner were compensated.⁴¹ Johnson complained on February 13 of the manner in which slaves were enlisted in Maryland. He repeated several stories of illegal seizures in which owners had not been given an opportunity to identify their slaves for future compensation. He admitted that a "prosperous and permanent peace can never be secured, if the institution [slavery] is allowed to survive," but he insisted upon constitutional measures in abolishing it. He thus favored the Thirteenth Amendment, although he said Congress had no power to destroy slavery in loyal states. But it was necessary to destroy slavery, said Johnson, in order to end the war.⁴²

In February, 1864, Thaddeus Stevens proposed that compensation of \$300 be given to slave owners for each slave enlisted in the army. Creswell opposed the payment of \$300 to the owners whose slaves were drafted. He maintained that the non-

³⁸ Pt. 2, p. 1425.

³⁹ *Ibid.*, p. 1426.

⁴⁰ *Ibid.*, p. 1426.

⁴¹ *Ibid.*, 1st Sess., 38th Cong., Pt. 1, pp. 161, 200-201, 221, 226-227, 231-232; *Baltimore American*, January 12, 1864.

⁴² *Ibid.*, pp. 633-634, 822, 841-842; Pt. 2, pp. 1419-1424.

slaveholders had supported the Union by military service while slaveholders had paid commutations to escape service. Henry Winter Davis agreed with Creswell, but soon changed his mind, for on the following day he proposed that the Secretary of War appoint a commission in each slave state represented in Congress that would award a just compensation to loyal slave owners whose slaves volunteered. Davis asserted that he still opposed the principle, and did not approve compensation for owners whose slaves were drafted without their consent.⁴³ Webster of Maryland argued that drafted and volunteer slaves should be placed on the same footing. Regardless of the owners' consent, he said, slaves were "private property taken for public use." Webster would have the slaves freed after their military service ended. The real question, he said, was not the "right to take slaves for military service, but the *expediency* of so doing."⁴⁴ The position taken by Webster and Davis called Benjamin G. Harris to the floor. He credited Stevens with a "sense of justice" despite his abolitionist views, since he favored compensating owners. Davis and Webster on the other hand would starve Maryland slaveholders. Harris said he believed the Supreme Court would uphold him in his contention that Congress had no right to enlist a slave. It was a "degradation" to the nation and the flag to call upon Negroes to defend it.⁴⁵ Creswell drew laughter when he replied that he was willing to let the "tender mercies and grim justice" of Thaddeus Stevens decide the slave questions of Maryland.⁴⁶ Davis denied Harris's assumption that slaves would be recognized as property by the Supreme Court in its interpretation of the Constitution. "He is property, not by law of the United States, but by the laws of the respective States. The Constitution of the United States treats him as a person."⁴⁷

Thomas H. Hicks, who took his seat in the Senate following Pearce's death in December, 1862, made few speeches because of his feeble health. On June 13, 1864, he spoke while sitting in his chair,⁴⁸ expressing himself in favor of the reelection of Lincoln. He urged that squabbles over party leadership be ended, the rebellion be crushed, and emancipation accomplished.

⁴³ *Ibid.*, Pt. 1, pp. 597-598.

⁴⁴ *Ibid.*, pp. 597-598.

⁴⁵ *Ibid.*, pp. 597-598.

⁴⁶ *Ibid.*, p. 600.

⁴⁷ *Ibid.*, p. 603.

⁴⁸ Hicks had just had one of his legs amputated.

A few days later Hicks said he did not know which would be the "greater calamity, the success of the rebellion or the resurrection of the Democratic party." He feared that a continual discussion of the Negro in the Senate would work in the Democrats' favor.⁴⁹ Despite Hick's conversion to emancipation, he was opposed to the proposed act for a "Freedmen's Bureau" because he believed it would place the Negro in an actual, if disguised, form of servitude by putting him under "overseers and slavedrivers."⁵⁰

When Congress assembled in December, 1864, it was evident that the fall of the Confederacy was close at hand, and the measures discussed and passed by this session had little direct bearing upon Maryland. Reverdy Johnson, however, found many things to discuss. On January 9, Senator Benjamin F. Wade said that the war should be continued for thirty years, if necessary to completely abolish slavery. Johnson replied: "I dislike the institution just as much as he does or can." But Johnson would terminate the war at once, believing that in "the retributive justice of heaven, the institution is mortally wounded now." The South, said Johnson, "must have seen what an element of weakness it is in war." He did not believe that the abolition of slavery, by constitutional enactment, would be an impediment to a successful peace, but did think that such a step would "tend to strengthen the government and greatly increase the chances of an early restoration of the Union."⁵¹

Creswell introduced a resolution on February 1, 1865, directing Secretary of War Stanton to report to the House of Representatives what compensation, if any, had been awarded to each of the several slave states represented in Congress for distribution to loyal owners of enlisted slaves. If such compensation had not been made, Creswell would have the Secretary state why it had not, since an act of Congress of February 24, 1864, had provided for it.⁵²

Members of the Maryland delegation were quick throughout the war to rush to the defense of Maryland when her loyalty was questioned. On March 10, 1862, when John Hickman of Pennsylvania asserted that Maryland had been held in the Union only

⁴⁹ *Congressional Globe*, 1st Sess., 38th Cong., Pt. 4, p. 3263.

⁵⁰ *Ibid.*, Pt. 4, p. 3336 (June 28).

⁵¹ *Ibid.*, 2nd Sess., 38th Cong., Pt. 1, pp. 313-315.

⁵² *Ibid.*, p. 539.

by a fear of war, Edwin H. Webster pointed to the large Union majorities at each Maryland election since the war began, and maintained that the State desired to preserve the Union and prosecute the war. Hickman persisted, however, in saying that Maryland had "been chained to the car of the Union simply because she was unable very readily to separate herself from it." At this point Crisfield came to Webster's aid. He was surprised that Hickman could be so unfamiliar with "the public acts of the people of Maryland." Hickman retorted that he would like to be made familiar with such acts, and Crisfield obliged by enumerating three. "In the first place, there is the governor of Maryland, to whose agency more than that of any other human being, are we indebted to-day for the possession of this capital." He then listed the June, 1861, Congressional elections in Maryland, calling it the "severest contest that had ever occurred in the State of Maryland," and noted that it returned a unanimous Union representation for the State. Thirdly, Crisfield named the election of November, 1861, saying that it expressed Maryland's devotion to the Union by a vote of more than two to one.⁵⁸ These proofs of Maryland's loyalty did not satisfy the persistent Hickman. He stated that he agreed with President Lincoln who must have been convinced of Maryland's disloyalty when he sanctioned the arrest of members of the State Legislature in September, 1861. Francis Thomas resented the unfairness of Hickman in holding all Maryland responsible for the threatened action of a few members of the Legislature who had been elected to their posts two years before their arrest. Thomas pointed to the loyal Legislature then representing the people of Maryland. Hickman, however, put in the last word, using Jefferson Davis as authority for the assertion that, if Maryland had not been intimidated and held by force, the State would have linked her fortunes with the South.

Crisfield again spoke of Maryland's loyalty when the bill to tax owners for each slave was under discussion on March 25. But he stated that even though Maryland was strongly loyal she might yet be "goaded into exasperation." Crisfield's speech aroused violent protest on the part of Representative Owen Lovejoy of Illinois. He said he was tired of hearing repeatedly that

⁵⁸ *Congressional Globe*, 2nd Sess., 37th Cong., Pt. 2, pp. 1176-1177. Crisfield, in naming the second proof of Maryland's loyalty, included Henry May as a Union Representative, which did not turn out to be the case.

Maryland was loyal. "Loyal! What if you are? It is your duty. It is no more for Maryland to be loyal than it is for Illinois to be loyal." Lovejoy asserted that because the State still recognized slavery—"a system of robbery; a system of rapine and outrage, which the civilization of the world has got tired of; which is a stench in the nostrils of God, and which the whole universe is clamoring to have done away"—it found it hard to be loyal. "And when you come to the bottom of it," he continued, "it is God's truth that they love this system more than they do the Union; and when it comes to the pinch, many will go with the secessionists."⁵⁴

Crisfield said that Lovejoy knew nothing "about which he talks." He then added that the troubles of the country had been brought about by two classes of people: those in the ranks of the rebellion and those "as mischievous and equally as detestable . . . found in the North constantly agitating and disturbing the harmony and peace of the country, and of this class the member from Illinois [Lovejoy] is a prominent and leading member." Crisfield said it would be an act of cruelty to emancipate the slaves at that time. "The choice . . . is between slavery on the one hand, and degradation, poverty, suffering, and ultimate extinction on the other." Speaking as a slaveholder, he continued:

. . . Provide the means by which I can be remunerated for raising these slaves; provide the means adequate for their removal, and satisfy me that their condition will be bettered, and I say today that mine, at least—and I believe I speak the general sentiment of Maryland—may all go to that happier condition, and I shall rejoice that an asylum has been found for them. . . . Sir, emancipation, without such removal and such provision, is an act of inhumanity.⁵⁵

Crisfield rapped at Lovejoy when he added: "But I hold that the man who stands up here day after day, and year after year, using his powerful talents to disturb the peace and harmony of the country, is as disloyal as the man who draws the sword to strike down the Constitution." Lovejoy replied that this was "abuse," but that he did not mind it much, for when a person "is hard pushed for argument, he usually takes to abuse." He denied that his class of men, as Crisfield had charged, was equally guilty with the rebels in bringing on the conflict. "Sir," closed Lovejoy, "it is not I, but slavery."⁵⁶

⁵⁴ *Ibid.*, p. 1367.

⁵⁵ *Ibid.*, p. 1368.

⁵⁶ *Ibid.*, 1368.

On June 9, 1862, Webster analyzed the political situation in Maryland as follows:

. . . Two parties only are found there [Maryland] now—the friends of the Union and the enemies of the Union; the men who stand for the protection of the government, for the upholding of its flag; and for the enforcement of its laws, and the men who desire to see those laws set at defiance, that flag trampled in the dust, and that government broken in pieces. . . .

Why, sir, look at the delegation from my State on this floor and see how old party lines have ceased to exist. At the last presidential election my friend who sits in front of me (Mr. Crisfield) voted for Breckinridge. My colleagues, the one who sits immediately in front of me (Mr. Calvert) and the one who sits behind me (Mr. Leary), and myself voted for Bell. My other colleagues (Mr. Thomas and Mr. May) voted for Douglas. The people of the State, when they came to send a delegation to Congress, selected men from all the old parties, and sent them here to deliberate and determine not for party, but for that which is higher and holier than party, their country.⁵⁷

Webster closed his speech, as nearly every Marylander did, by urging Congress not to interfere with the institution of slavery in the State, and to prosecute the war on a basis of suppressing the Rebellion and restoring the Union.

(To be continued.)

⁵⁷ *Ibid.*, Pt. 3, p. 2215.

GOVERNOR CHARLES GOLDSBOROUGH'S VIEWS ON SLAVERY

The concern felt by a former governor of Maryland for the well-being of his numerous Negro slaves is described in a letter owned by Mrs. William D. Gould of Easton, Maryland, great granddaughter of the writer.¹ From "Ravensworth," Fairfax County, Va., the home of his daughter, Mrs. William H. Fitzhugh, Governor Charles Goldsborough makes inquiries of a friend in Mississippi regarding lands on which a colony of his slaves might be transplanted. The letter is addressed to Dr. Sulivane, a native of Dorchester County, Md., who had removed to the South. Governor Goldsborough did not live to fulfill either plan mentioned in his letter. He died on December 13, 1834, in his 70th year, after serving in the House of Representatives from 1805 to 1817, and as Governor of Maryland 1818-1819.

Doctor Vans M. Sulivane ²
Grand Gulf
State of Mississippi

Ravensworth, August 28th, 1834

Dear Sir,

I was very much gratified a few days ago, by receiving your obliging and friendly letter of the 24th of July. Having left home a short time before its arrival at Cambridge on my annual visit to my daughter, it was then remailed to Alex., and at last got to my hands on Friday last, the 22nd Inst. The first and most ample source of the gratification it afforded me was in the very flattering account it gave of your own situation and professional prosperity. I sincerely hope that this may be realized to the utmost extent of your expectations and wishes, and that you will have it

¹ Copy of the letter has kindly been furnished by Miss Charlotte Fletcher, daughter of Mrs. Gould, who is assistant librarian at St. John's College.

² Dr. Sulivane (1810-1840) was a son of Dr. James B. Sulivane, graduated from the University of Maryland in 1830, and went to Mississippi in 1833. He met a violent death from stabbing in 1840.

in your power, in a few years, to return to the place of your nativity, if you so choose, and to the society of your friends in the enjoyment of the health with which you left them, and in possession of as much wealth as will satisfy your desires and even your ambitions.

The account you were so obliging as to give me of the state of the Country to which you have emigrated, and the prospects it affords to persons encumbered here with too much of a certain description of property, which to me has been a source of vexation throughout my whole life, is very satisfactory as far as it goes. If you had added some information respecting the prices of lands in that part of the country and the facility of purchasing settlements either improved or unimproved, your communication would have embraced all that I wish to know. I find it impossible without great loss both of money and comfort to continue my establishment upon its present footing. The number I have to support (and if I keep them at all I must keep them well) consume all that they make, and notwithstanding all my kind treatment of them, every now and then one of my best men runs away from me and I have his wife and children upon me to support. I can see but two remedies for these evils; namely, either to convert the whole of them into money by a sale to whom will give the best price for them or to send out as my own property a sufficient number to stock a good large cotton plantation, and to purchase land to settle them on. The objections to the former one, that, conduct the transaction in the gentlest manner you can, it is inevitably to a certain degree inhuman and offensive to one's own feelings. It can not be effected without violence, and without handcuffs and chains; and besides, you can not sell them here to any buyer for his own use for more than half or two-thirds of their worth. The latter involves no violation of humanity. Remaining the property of their present master, there is no possible severance of connections and they are sure of being as well treated as they ever were. To them the removing is just the same as the migration of any poor white family seeking their future in the southern or western country. I am, therefore, very much inclined to adopt the latter plan.

I recollect Judge Perkins very well. He was over at Shoal Creek³ and appeared to be a gentlemanly and intelligent man. If I knew his address, that is, his Christian name and the exact place of his abode, I would write to him. If you should meet with him, be good enough to ask him to favor me with a letter describing exactly the size and situation and state of improvement of the plantation, to which his proposition communicated through you, had reference, and the quality and condition of the land. As to the offer to purchase here made by another Gentleman, whose name I cannot recollect, for your letter is now in the hands of my son Wm. at Shoal Creek, it comes nearly up to the price at which I should be willing to sell, if I sold at all; and if he were here perhaps there might be no great difficulty in our agreeing for the number he wants, if he would agree to some little extension as to ages. If I sell at all it must be in whole families. But I cannot undertake to hunt after his agent; and I should

³ Plantation in Dorchester County on which the Governor made his home.

prefer negotiating with Principals. There is one piece of information I wish to obtain. If I were to send out 40 or 50 to Grand Gulf or to Natchez, how and with what expense could one manage to provide a temporary domicile for them and to keep them in comfort and with good treatment, until a more permanent settlement of them could be made. If you should get an inclination at some moment of leisure to do me the favor to write again you will oblige me by adverting to that difficulty, which I suppose to be a very probable one.

I am sorry that it is not in my power to give you any particular information respecting your friends at Cambridge, having been from home nearly four weeks. The accounts I have received from Wm. are that county is not sickly. When you left us, as I recollect, you spoke of making a visit to Cambridge in the spring. I hope it will be in your power to do so, and to gratify your numerous friends with some weeks of your society.

Believe me to be, Dear Sir,

with much esteem and respect,

Very sincerely yours,

C. Goldsborough

AMONG THE "MEETERS AT THE BAYSIDE"

By EMERSON B. ROBERTS

The site of the first Quaker Meeting in Talbot is near the present villages of McDaniel and Wittman. The land was given for the purpose about 1667 by Robert Kemp, a young Quaker recently come to Bayside, as this locality was then called. Today the remains of the burying ground is at the left of the road as one goes from McDaniel to Wittman and on the other side, not far away, are two brown frame houses built in part from lumber thought to have been taken from the old Bayside Meeting House. The land is adjacent to "Boulton," more frequently called "The Quaker Kemp Farm."

Betty's Cove Meeting, visited by George Fox in 1672 and again in 1673, is located on the farm known as "North Bend" owned by James Dixon. The Meeting House was finished or remodeled about 1676 and continued in regular use until about 1693, when the Meeting there was removed to "ye great Meeting House" at Third Haven. Betty's Cove Meeting House, however, was kept in repair, and fences and graveyard kept up for some time.

Long after the death of John Kemp IV, great-great-grandson of Robert, his widow, Sarah, more than a century after the abandonment of these Bayside Meeting Houses, except by the encircling dead, with her children frequently would *sit meeting* alone. From first to last, the Kemps were among the "meeters at the Bayside," to use the phrase current two centuries ago.

It is of those early Kemps, six generations of whom lie in the graveyard, and of the families of Bayside, with whom they were so repeatedly related by ties of blood and of spirit, that we write.

Anciently the name Kemp is of county Norfolk, and from Golfred Kemp of Gissing, who lived in Norwich, 1272. Robert

Kemp is in the Assize Rolls of 1306. The Norfolk family furnished John Kemp, LL. D., Archbishop of Canterbury, and Thomas Kemp, nephew of His Grace, the Archbishop, who was consecrated Bishop of London in 1449. Oddly enough, the name of this Quaker family in Saxon means "combat," and in parts of England to this day a football match is a "kemping," and a "kemper" a contestant, a *combatant*, a *champion*.

The Maryland Kemps begin with Robert, who gave the land. He was born in Yorkshire 1650, or earlier, and died in Maryland 1702. As a youth, he was in Talbot by 1664, and perhaps before that for some time in Calvert. He declared his intentions toward Elizabeth Webb in 1678, but was admonished to wait until the General Meeting. (Third Haven Records, Vol. I.) This, he did, and in due time married Elizabeth, daughter of Edmund and Elizabeth Webb, the immigrant ancestors of the Webb family.

Robert Kemp died in Talbot in November, 1702. His will (Will Book, Hall of Records, Annapolis, Vol. II, f. 394. Baldwin, *Calendar of Maryland Wills*, III, f. 11. Accounts, Land Office, 1704, Vol. III, f. 370) drawn November 6, was probated November 24 in that year. By it he left the Society of Friends certain personalty. To his son, John, he left a tract of land, "Woolf's Harbour" and lands bought from William Fuller and Robert Clark, and also "Boulton" and "Boulton Addition," situated on the bay shore opposite Poplar Island, "given his mother by her father, Edmund Webb." (Chancery Proceedings, P. C. f. 371, the deposition of George Collison of Talbot, 1696. Also see Kemp pedigree in *Society of Colonial Wars in . . . Maryland, Genealogies of the Members* (1905), p. 75.) In later years "Boulton" became known as "The Quaker Kemp Farm." Yet remembered is the old windmill for the grinding of meal and coffee that stood at the end of the long lane.

The widow, Elizabeth, outlived her husband by about nine years. She died between the 29th of the 6th month and the first of the 9th month, 1711. (Third Haven Records, Vol. II, p. 69.) The children of Robert and Elizabeth Kemp were:

John Kemp, later known as John Kemp I. He was the first of a name that has continued to the present. He was born in 1681 (Chancery Depositions, P. C., 757), and died intestate, 1751. He married November 15, 1705, Mary

Ball, daughter of Lieutenant Thomas Ball and his wife, Susannah.

Edmund received under his father's will, equally with William, "Mable" and "Mable's Addition."

William, "joyner, of St. Michael's Parish," married July 5, 1717, Martha Eubank. His will (Baldwin, *Calendar*, VI, 138), probated November 14, 1729, mentions a son, William, who is to have 223 acres, "Mable Enlarged." Then he mentions his daughters Elizabeth, the eldest, and Rachel, Martha, Jane and Constant. The widow survived. Elizabeth, born May 20, 1683, baptized September 19, 1702 (St. Michael's Parish), married, "outside the good order," George Collison. The ceremony was performed by the Rev. Mr. Lillington of St. John's Parish, then in Talbot. Elizabeth's father spoke of the reverend gentleman wrathfully as a "priest" for failing to heed the warnings of the Quakers not to perform the ceremony. For her disobedience, Elizabeth, then not eighteen years of age, was disowned by the meeting, though her mother had no part in the action. Her father, unforgiving to the last, cut her off with one shilling under his will, and "bade her be content with her own disobedience in lieu of worldly goods."

Jane, married, first, Robert Clothier, and second, after November, 1702, Thomas Eubank. She, too, was cut off by her father with a shilling.

Rachel and Sarah.

From John Kemp I and his wife, Mary Ball, descends the Kemp family of prominence in Talbot and throughout the State. The administration of his estate, May 20, 1752, by his widow, Mary, and son, John, yields much information of the family in this generation. (Hall of Records, Accounts, 32, f. 329.)

John Kemp II, died 1773, married 1734, Magdaline Stevens, daughter of John and Elizabeth Stevens. John and Magdaline Kemp are distinguished in Talbot and in Maryland in that, voluntarily, and long before it became somewhat common practice even among Quakers, they freed their slaves.

Thomas, mentioned in his grandfather Ball's will as inheriting the lower part of "Long Neck" at his mother's death, and the upper part of the same tract at his father's death. James, married at Tuckahoe Meeting, June 24, 1749, Elizabeth Harwood, daughter of Peter Harwood, Jr., and widow of William Williams. James and Elizabeth Kemp, "late Elizabeth Williams" rendered accounting on the estate of William Williams of Talbot June 14, 1751. (Accounts 30, f. 132). The representatives of the deceased were "James and Elizabeth Kemp, his wife, Quakers, and children of the deceased, Mary, Rachel, Ennion, and Elizabeth Williams." On the 31st of the 1st month, 1788, James Kemp asked the Meeting to receive his own children, James, Samuel, Robert and Elizabeth. (Third Haven Records.)

Benjamin

Joseph

Elizabeth, married her cousin, James Ball.

Susannah, married, first, John Stewart, and second, September 7, 1744, Peter Harwood, Jr. (*Maryland Historical Magazine*, XXXVII, p. 320-326.)

Rachel

The family of John Kemp II and Magdaline Stevens, his wife, were:

Mary, born 31st of the 7th month, 1735, died in infancy.

John Kemp III, born 30th of the 5th month, 1737 at "Boulton," died April 7, 1790, married April 7, 1763, Mary Wrightson, daughter of Francis Wrightson and his wife, Elinor Blake, daughter of Peter Blake, the immigrant. John Kemp was a sea captain, active in the Revolution, in transporting troops and supplies. (*S. A. R. Magazine*, April, 1933, p. 347.)

Elizabeth, born 6th of the 7th month, 1739, married John Dixon, Quaker. In the declaration of their intention, 31st of the 1st month, 1757, she is called "Elizabeth Kemp, the younger." Then on the 28th of the 2nd month, 1757, "John Dixon and Elizabeth Kemp the youngest" appeared in Meeting and declared their intentions of marriage, this being the second time of their so appearing, and they ap-

pearing clear of all others, are left to their liberty to accomplish their said intentions as the Truth Directs, making the same public and James Ratcliffe and William Troth are appointed to see the marriage accomplished in Good Order, and to make a report thereon at the next Monthly Meeting . . . 28th of the 3rd month, 1757, the Friends appointed to see the marriage of John Dixon and Elizabeth Kemp accomplished, report that it was accomplished in Good Order. (Third Haven Records and *Maryland Historical Magazine*, XXXVII, 317).

Thomas, born October 4, 1741, married, 1771, Rachel Denny, and had, with eight other children, a daughter, Rebecca who married William Wrightson and had issue.

Mary, born January 13, 1743, married Thomas Norris of West River, Anne Arundel County.

Benjamin, born December 18, 1745.

Sarah, twin with Benjamin, married July 5, 1764, Thomas Cokayne.

James, born August 30, 1749.

Joseph, born December 15, 1750, died young.

Ann, born July 10, 1752, married, first, William Wilson, second, Samuel Register, and third, Howell Powell.

John Kemp III and his wife, Mary Wrightson, were the parents of:

John Kemp IV, always known as "Quaker John Kemp," born January 27, 1764, married October 29, 1790, died March 28, 1829. His wife, Sarah Paschall Troth was born February 13, 1768, died May 27, 1848. These are they spoken of in the first paragraph of this paper. It was she and her daughters who kept the inner light bright at Betty's Cove after it had been abandoned by all others.

Robert, married Sarah Powell and had ten children.

Eleanor, married William Wilson.

Joseph and Thomas, both died young.

John Kemp IV by his wife, Sarah, had these children:

John Kemp V, married (1) 1816, Maria Lambdin, (2) 1842, Susan Lambdin, sister of Maria.

KEMP

Robert Kemp married 1678 Elizabeth Webb
immigrant 1664 d. 1711. dau. Edmund and Eliz. Webb
b. 1650 d. 1702

John Kemp I b. 1681 d. 1751 m. 1705 Mary Ball dau. Lieut. Thomas and Susannah Ball	Edmund	William m. 1717 Martha Eubank Elizabeth Rachel Martha Jane Constant	Elizabeth m. Geo. Collison	Jane m. 1. Robert Clothier 2. 1702 Thomas Eubank
		William m. _____ Quinton m. Lovry Charles		Rachel Sarah

John Kemp II m. 1734 Magdaline d. 1773 dau. of John Stevens m. 2. Eliz. and Eliz. Alcock Johns Troth	James m. 1749 Elizabeth Harwood dau. Peter Harwood, Jr. widow Williams	Thomas Benjamin Joseph	Elizabeth m. Jas. Ball Rachel	Susannah m. 1. John Steward 2. Peter Harwood
James m. Mary Ball	Samuel Robert	Elizabeth Sarah m. Benj. Cooper	Susannah m. Francis Neal Lydia m. Sam'l. Ball	

Mary b. 1743 m. Thos. Norris Mary b. 1735 dy. Sarah, twin b. 1745 m. 1764 Thos. Cokayne	Ann b. 1752 m. 1. Wm. Wilson 2. Sam'l. Register 3. Howell Powell	Benjamin, twin b. 1745 Joseph b. 1750 dy. James b. 1749 Elizabeth b. 1739 m. 1757 John Dixon	Thomas b. 1741 m. 1771 Rachel Denny Rebecca m. Wm. Wrightson 8 others	John Kemp III b. 1737 d. 1790 m. 1763 Mary Wrightson dau. Francis and Elinor W.
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John Kemp IV m. 1790 Sarah Paschall Troth b. 1764 b. 1768 d. 1848 d. 1829	Robert m. Sarah Powell 10 children	Joseph dy. Thomas dy.	Eleanor m. Wm. Wilson
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John Kemp V m. 1816 Maria Lambdin m. 1842 Susan Lambdin sister of Maria	Dr. Samuel Troth Kemp m. 1. Susannah Yarnall 2. Eliz. Hardcastle Nov. 12, 1827	Henry Joseph Thomas m. Eliz. Wilson Robert m. Caroline Thomas Sarah Paschall m. John Bartlett Helen Kemp Bartlett	Phoebe Eleanor Mary
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Dr. Samuel Troth married (1) 1819, Susannah Yarnall, (2) Nov. 12, 1827, Elizabeth Hardcastle, and had issue by both marriages.

Thomas, married, 1832, Elizabeth Wilson.

Robert, married Caroline Thomas. (See *S. A. R. Magazine*, April, 1933, p. 347.)

Sarah Paschall, born March 3, 1806, married, 1831, John Bartlett.

Phoebe, Eleanor, Mary, Henry and Joseph.

The names of most of the families into which the Kemps married are among the oldest Quaker families of the State. Charts of some further descents have been transcribed by the author from his collection and copies of these have been deposited for those who are interested in examining them with the Maryland Historical Society. The Kemp family is large in Maryland and its representatives have taken high places in the affairs of the State, politically, socially, and financially.

WEBB

The earliest Talbot patent for Edmund Webb, immigrant of about 1654, is "Webley," 400 acres in Talbot, December 12, 1672. Then on March 3, 1668/9, he acquired by deed from John Cock, 200 acres on the south side of the Sassafras River, "None soe good fin land" (*Maryland Historical Magazine*, XXV, 258 ff). Before coming to Talbot, Edmund Webb had been in Calvert and in Anne Arundel, and had also taken up some land in Dorchester. (*Archives*, XLI, 295.) His will, 1685, however, is a Talbot document. (Baldwin, *Calendar*, I, 166.) By it he devises to his daughter, Elizabeth Ceamp, fifty acres called "Bowlton." So came to the Kemps, "Boulton," long their home place with its long lane. From "Boulton" John Kemp IV and his family saw the British ascend the Bay in 1814. The spy glass used on the occasion was kept in a special niche built in the old home to receive it, but when the British sacked the place on their return, the glass had been removed to safe quarters and so is still in the possession of the Kemps. "Boulton" has passed from the Kemps in recent years, but ultimately it may pass into the sands of the Bay through the constant encroachment of the relentless tides.

In addition to Elizabeth, Edmund and Elizabeth Webb left other children, two sons, Edmund and William, and a daughter, Mary. This William Webb had, with a son William, a daughter Sarah.

STEVENS

William Stevens, the immigrant, settled first at Patuxent in 1650 or 1651, in the Quaker settlement of Calvert County where his first land grant was near the mouth of the Patuxent River. (Land Office, Liber ABH, f. 141, and *Maryland Historical Magazine*, IX, p. 45.) Later he removed to Dorchester where he was appointed a Justice of the Peace. (Liber AM, Proceedings of the Council.) Again as William Stevens of Great Choptank, he was paid by order of the Council £0 24 03 "for his charge in the Indian war." The early records are replete with references to him. One relates to the establishment of the Town of Oxford. There is a Deed of Gift from William Stevens to the Lord Proprietary conveying thirty acres "for the settling and the building of the towne in Tread-Aven Creeke in Great Choptank."

William Stevens married Magdaline Gary (though some authority calls her Magdaline Hodges), eldest daughter of Stephen Gary. William Stevens died December 23, 1687, and his will was probated November 11th of that year. He and his wife are buried on land long held by subsequent members of the family, but now transferred to the family of Huffington. The children were:

John Stevens married Dorothy Preston, daughter of Richard Preston, "The Great Quaker." The relationship of John and William Stevens, questioned by some, is embraced in the registry of their cattle marks (*Archives*, X, 370), May 23, 1654. John Stevens' will was probated November 7, 1692. Baldwin, *Calendar*, II, 70.)

William removed to Talbot, married (1) 1670, Mary, the daughter of Dr. Peter and Judith Sharp, and (2) Sarah ———. (Liber JJ Provincial Court, f. 51 and *Maryland Historical Magazine* X, 284.) He also, in the days of his father, was a justice of the peace for Dorchester. (*Archives*, XVII, 380.) This fact has rendered difficult the separation of the records of the two. His will dated

STEVENS

William Stevens married Magdaline Gary
immigrant 1650 dau. of Stephen Gary,
Patuxent 1651 d. 1686
d. 1687 in Dorchester

John m. Dorothy Preston
dau. of Richard Preston

William m. 1670 (1) Mary
d. 1701 dau. Dr. Peter and
J.P. for Judith Sharp
Talbot m. (2) Sarah
d. 1719

Magdaline

John
William

Magdaline m. (1) Jas. Edmondson
(2) Dr. Jacob L. Loockerman

Grace m. James Woolford

John m. 1709 Elizabeth Alcock
d. 1742 b. 1687, dau. Thos.
and Hannah Alcock.
m. (2) Eliz. Johns Troth

Magdaline m. 1734 John Kemp II
d. 1773

Samuel

John

Samuel
b. 1778 in Talbot
Gov. of Md.

William
m. Elizabeth

Mary
Sarah m. Webb
Magdaline Maude

October 10, 1700, was probated April 17, 1701. (Will Book II, f. 97.) To his sons jointly he left all his lands at the Port of Williamstadt with the provision that if they die without issue the lands were to pass to the three daughters. To his widow, Sarah, he left interest in his son's Samuel's lands as also life interest in "Fowling Creek," to which he refers as bought from Thomas Taylor, and devised to his son, John. The widow, Sarah, died in 1719. The children were:

John Stevens, married first Elizabeth Alcock, daughter of Thomas and Hannah Alcock, May 6, 1704 (or 1709), second, Elizabeth Johns Troth, a widow. He received by his father's will "Dawson's Fortune," "Buckroe," and a part of "Catling's Plaine," which is near Oxford. He died about 1742.

William received the remainder of "Catling's Plaine," married Elizabeth ————. He died before 1719.

Samuel received "Compton" and "Edmondson's Lower Cove." From him is descended Governor Samuel Stevens, born July 13, 1778.

Mary, Sarah and Magdaline Maud.

The widow, Sarah, survived until 1719. In her will (Baldwin, *Calendar*, IV, 215) she mentions her daughters, Magdaline Maud and Sarah Webb, her son John, Elizabeth, widow of William Stevens, her granddaughter Sarah Webb, and her grandson Thomas Stevens.

John Stevens and his wife, Elizabeth, were the parents of several children including Magdaline Stevens, who married, 1734, John Kemp II.

BOOK REVIEWS

Archives of Maryland: LX—Proceedings of the County Court of Charles County, 1666-1674 (Court Series 9). J. HALL PLEASANTS, Editor; LOUIS DOW SCISCO, Associate Editor. Baltimore: Maryland Historical Society, 1943. li, 635 pp.

With the publication of the Charles County Court proceedings for the period 1666-1674 the Maryland Historical Society has but one more volume remaining to be published in order to provide a complete picture of local justice in tidewater Maryland in the third quarter of the seventeenth century. The remaining volume will be the Somerset County proceedings, which have been published in part for the period 1665-1668 (*Md. Arch.*, LIV). This program has been part of a larger plan, now successfully accomplished—the presentation of a cross-section of the legal procedure of Maryland for that period, including all the higher courts—the Provincial and Chancery Courts, and the Upper House of the General Assembly sitting as a Court of Appeals—together with all proceedings of inferior courts for the corresponding period which are still extant. It is hoped that for the following generation at the turn of the century a similar cross-section of the colony's jurisprudence will soon be available. We now have in print the proceedings of the Court of Appeals beginning at 1695, for which we are indebted to the late Judge Carroll T. Bond, whose passing all students of American legal history lament. The Hall of Records Commission proposes to publish the proceedings of Prince George's County Court, and it is to be hoped that in the not too distant future the Provincial Court proceedings for the corresponding years will also be available in the *Archives*.

The court proceedings of Charles County for the period under review differ considerably in character from the preceding eight-year period previously published in volume LIII of the *Archives*. The record is less detailed, extremely sparse on the criminal side, and lacking the spicy, informal summary of testimony which the earlier clerks had taken pains to enter on the record. In this period there were frequent changes of clerkships. Some had only recently arrived in the province, and the majority were not very efficient. As a result, these proceedings do not appear to constitute a full record. For example, while births, marriages, and deaths were recorded, only sixty births, seven marriages, and sixteen deaths were listed for the nine-year period under examination. This is obviously

an incomplete record for a county with an average population of 1800 persons. While a good part of the criminal proceedings appear to have been left out, many routine entries were made. It is likely that the Somerset proceedings for the same period will be fuller and more illuminating, as well down to the end of the seventeenth century the Princess Anne records contain a great deal of material of an evidential nature.

An impressive part of the proceedings of this county court was taken up with real estate transactions. The clerks recorded a great proportion of all the deeds and other land records in the county in this period. A survey of them reveals that fee simple estates were almost invariably preferred to entails at that time. Reservation was made, of course, for the payment of rents and services to the "chief Lord of the Signory," perhaps more frequently referred to as the "Lord Proprietor."

The bulk of cases which came up in the court in this period were civil suits. The editors estimate that over ninety per cent. of these were for debt on a bill obligatory—the predecessor of the modern promissory note. However, in computing this figure the editors apparently classified suits in trespass on the case in the nature of assumpsit in the same category as actions of debt, whereas in law they were entirely different and distinct actions, the former seeking damages rather than restitution of property. In fact, the action of trespass on the case is not listed in the index, nor is assumpsit, although both actions were not infrequently brought. A careful legal analysis of this litigation, which the editors were not able to provide, would reveal a great deal of informality in procedure before the court, a characteristic of the day and age in the American colonies. Thus, one action of debt is combined with an action for damages for trespass for the forceful taking away of chattels (pp. 189, 190).

Many of the cases arising in this court are of contemporary significance to us today. In the southern colonies the regulation of the price of liquor and other tavern charges may be said to have been the most consistent example of price regulation undertaken by the county or sessions courts right through the Revolutionary period. The Maryland legislature in 1671 admitted that as a result of the absence of price legislation innkeepers had exacted most "unconscionably." Hence, rates for brandy, rum, wines, strong beer, and ale were set as well as "dyett" and lodging (*Md. Arch.*, II, 295). Under this act John Allen was presented by the grand jury in 1675, but, as the charges could not be substantiated, "the presentment was dasht" (p. 519).

Labor relations occupied a good deal of the court's attention. At the March, 1673, court it was ordered that henceforth no person should be permitted to act as attorney for any servant, but such as the court should appoint (p. 496). Apparently attorneys for servants had been too aggressive in the past in bringing actions against masters, to the latter's "greate charge and dammage." As the personnel of the court was made up of exclusively of masters, the servants could scarcely be accused of getting a "break" by this ruling, which appears to be without parallel in the colonies. These records attest that the life of the bound servant in the tobacco

colonies was no bed of roses. Three inquests over the bodies of dead servants were held by the coroner in one year alone. The master's right of discipline over his servant was upheld. In one case where a maid-servant had been put in irons by her mistress, tied to her bedpost, and beaten until "there was a puddle of blood in the room and great wounds in her back," the jury freed the servant, apparently on the legal technicality that, where she had been whipped for running away, the time she was absent would not be added to her original term. If she had been whipped for other offenses, the runaway time might be added (pp. 234-235). Incidentally, under the statute quite consistently enforced during this period, the penalty for running away was ten days of extra service for each day's unlawful absence. The master's property interest in his servant was upheld by the court. He could assign his servant to another in exchange for other property—and some planters appear to have been dealers in servants (pp. 147, 169) and, under the act of 1671, he could and did prosecute anyone who harbored or entertained his servant or enticed him to leave his service. Pirating of workers is a practice not confined to war plants of the present day!

Despite the more formal character of these records as compared with the earlier years, there is a wealth of material of equal interest to the social and the legal historian. These proceedings have been edited in accord with the high standards which mark the entire court series, and are prefaced with a provocative historical introduction.

RICHARD B. MORRIS

The College of the City of New York

Racing in America, 1665-1865. By JOHN HERVEY. New York: The Jockey Club, 1944. Privately printed. Two volumes.

The Jockey Club is greatly to be congratulated on its publication of this much needed work on the history of racing in America and the breeding of the American thoroughbred horse. The two large and beautifully printed volumes that make up this book are very fully illustrated with portraits of the men who, from the earliest Colonial days, imported, bred and raced horses in this country. There are also many pictures of their manor houses and of their most famous horses which are the ancestors of the American thoroughbred of today. Though this monumental work must obviously have required years of patient research, it is written in the most readable and entertaining style and should be of great value and interest to all breeders of thoroughbred horses and lovers of racing. The book, which takes in the years 1665-1865, completes the history of American racing which the Jockey Club had previously published in a volume by W. S. Vosburg covering the years 1865-1922.

The book is divided into different periods such as the "Early and Later Colonial Periods," "Through the Revolution," "The Early Nineteenth Century" and "Through the Civil War." In each of these periods horses

and racing in the Northern and Southern States are treated separately. Valuable information is given in an Appendix to each volume which contains lists of imported stallions and mares, tabulated pedigrees, leading American sires and winners of principal Jockey Club purses.

Few among the large crowds which flock to our modern race tracks have stopped to consider what the beginning of racing in America must have been like or what veritable pioneer work had to be done by the sportsmen of those early days. Many of the English settlers, especially in Virginia, had brought horses and the love of racing from the Old World, but the land had not as yet been cleared of its primeval forest and dense undergrowth and it was almost impossible to find a spot in which to lay out a course in any way resembling the ones we have today. Not only was labour scarce, so that it would have been difficult to clear enough land for a race course, but it would have been very dangerous to assemble a large gathering of settlers in an undefended open space which would have invited attack from the Indians. Any racing that was done had to take place on the main highways or even through the streets of towns. In Philadelphia Sassafras Street was a favourite stretch for many an early race and it came to be popularly known as Race Street, a name that was at last formally adopted by the city fathers and remains to this day. The practise of racing along streets and highways necessarily caused many accidents and soon had to be forbidden by law. Plymouth Colony, for instance, in 1674 decreed that "whatever person shall run a race with a horse kind in any street or common road shall forfeit five shillings in money forthwith to be levied by the Constable or sit in the stocks one hour if it be not paid."

Before the circular race course came into general use its forerunner was the race path, generally a narrow strip of ground, about fifteen to twenty feet wide, and from a quarter of a mile to 500 yards long. At the starting-end of the path booths were set up in which food and drink were sold; peddlers hawked their wares and fortune tellers plied their trade. The motley crowd of spectators included such varied and picturesque characters as cavaliers and their richly dressed wives, mounted on well groomed horses and attended by negro slaves; a sporting parson rubbed shoulders with trappers in their deerskin clothing and beaver hats, while a note of romance and danger was added by a group of Indian braves, their savage, bronzed features topped by towering feathered headdresses. Some of the racing was for money and, at a later date, for silver cups, but many races were run for tobacco and in 1786 one of the stakes is known to have been for as much as 100,000 pounds of tobacco.

The first organized racing in America was started by Governor Nicholls of New York in 1665. A great lover of horses, Governor Nicholls had a course laid out on Hempstead Plains in Nassau County, Long Island and, in announcing that he would present a silver cup to be run for each spring and fall, he stated that he was offering his cups "not so much for the divertisement of youth as for encouraging the bettering of the breed of horses, which through great neglect has been impaired." The course was named Newmarket, in honour of the King's favourite course and it was

not too far from New York to draw big crowds from that city although it meant taking the ferry and then riding or driving a distance of some twenty miles. It is interesting to note that the approximate site chosen by Governor Nicholls still continues to be the chief center of racing in this country.

Many amusing incidents enliven the book. We learn, for instance, that in Maryland there was such a strong liaison between the church and the turf that one of the first, if not the first known mention of racing in that colony subsequent to the year 1700 records the resolution of a vestry in 1727 "to meet on Thursday at the race-ground near the Bensons." We are also told of the rivalry which existed between horse owners in Maryland and Virginia and that the Virginians, having been beaten in numerous races by their next door neighbors, resorted to the unsportsmanlike length of barring Maryland-bred horses from their meetings. The Marylanders, however, retaliated by sending their best stallions and mares across the river so that their foals would be Virginia bred. It will come as a surprise to most of us to read of the only known instance in which two Presidents of the United States opposed each other on the race course—when George Washington's stallion, Magnolio, was beaten by a roan colt belonging to Thomas Jefferson. Though only 800 copies of *Racing in America* have been printed, no sporting library will ever be really complete without it.

HARVEY S. LADEW

Four Late Eighteenth Century Anglo-American Landscape Painters. By J. HALL PLEASANTS. (Reprinted from the *Proceedings* of the American Antiquarian Society, October 1942). Worcester, Mass.: American Antiquarian Society, 1943. 146 pp., plates.

Students of early American painting have long owed a debt of gratitude to Dr. J. Hall Pleasants. All who have worked at the Frick Art Reference Library in this field have come to appreciate the thoroughness of his historical investigations and the soundness of his critical judgments. The great corpus of photographs and biographical material which he has assembled in Baltimore relating to the painters who worked in Maryland, from the very earliest times, is a model of regional scholarship. Here are recorded the efforts of those forgotten local limners, thoroughly documented and expertly catalogued, as well as the works of those once famous artists who passed through the state. It is from the results of such labours, when completed for other cultural centers of our country, that the history of American painting will some day be written.

Two studies have appeared as the result of Dr. Pleasants' investigations. (No mention is here made of his monumental book on Maryland Silver or of the numerous volumes of the Maryland Archives which have appeared under his editorship.) The first was *Justus Engelhardt Kühn*, one of our earliest portrait painters; the second was *Joshua Johnston, The First*

American Negro Portrait Painter. Dr. Pleasants' latest publication, *Four Late Eighteenth Century Anglo-American Landscape Painters*, Worcester, Massachusetts, 1943, is much broader in scope than the other studies and should be of great interest to all who would understand the difficulties of these struggling artists who endeavored to earn a living by the practise of "landskip" painting in the days of our early republic.

The four painters whose lives are so completely recorded and whose works are criticized and catalogued, are George Beck, William Groombridge, Francis Guy and William Winstanley. To many students and to most general readers, these four names must be almost unknown, or at least remembered only from a passing reference in Dunlap.

The careful research which Dr. Pleasants has done so well is an original contribution, necessary for a better understanding of landscape painting in America before the rise of the Hudson River School. Not only has he examined, listed and described all of the known paintings by his artists, but he has also enumerated all of their pictures of which any exhibition record, in this country or in England, exists. But he has done far more than compile a catalogue raisonn  . From the files of old and obscure newspapers, memoirs, diaries and letters, he has with deftness and skill brought these long dead painters back to life. It is doubtful whether many additional facts telling of their struggles, failures and minor triumphs will ever be recovered, so thoroughly has he performed his task. And triumphs some of them did have, for one found a patron in our first great collector, Robert Gilmore, and two had the distinction of selling their landscapes to President Washington.

It is the bombastic Guy who most appeals to this reader and one feels that he is also Dr. Pleasants' favorite. The checkered career of this "painter, dyer, minister and religious controversialist, versifyer, dentist, oil cloth and patent paper-carpet manufacturer" is excellently portrayed. How modern seem his controversies with his fellow painter, Groombridge, and that unnecessarily caustic lady critic, "Beatrice Ironsides." This vituperative newspaper war which Dr. Pleasants has discovered and retold, casts a vivid light on the art racket of early Baltimore.

Guy's paintings of city views and gentlemen's seats have a greater appeal than the works of Beck, Groombridge or Winstanley, and they seem more American in flavour. The soft foliage of the trees, the little figures strolling in pairs across the foreground, and the subdued atmospheric effects, give his pictures a quaint distinction. He also shows considerable variety both in treatment and in subject. Perhaps his most successful picture is the *Winter Scene in Brooklyn*, but we should not neglect his two views of the *Pennington Mills* or the large *Baltimore from Chapel Hill*. This last canvas, long attributed to Charles Willson Peale, is a most important iconographic record of our city as it appeared in 1803. Unfortunately the picture is no longer in the city it so well portrays.

Dr. Pleasants attributes nineteen paintings to Guy. All of these he has examined and dated, and he has given their ownership and provenance. There is also a long list of pictures, many of them most interesting, judging

from their titles, which are no longer to be found. Let us hope some of them at least may be recovered and that Dr. Pleasants will publish another book, fully illustrated, devoted entirely to Guy. His landscapes deserve a far wider recognition and his varied life and eccentric personality warrant a fuller treatment. We should all be most grateful to Dr. Pleasants for making it possible for us to understand this man and his three contemporaries, and to appreciate their work.

MACGILL JAMES

National Gallery of Art

Rivers of the Eastern Shore: Seventeen Maryland Rivers. By HULBERT FOOTNER. Illustrated by Aaron Sopher. [Rivers of America Series.] New York: Farrar & Rinehart, 1944. 375 pp. \$2.50.

Mr. Footner, whose book *Maryland Main and the Eastern Shore* delighted so many Marylanders, has again done the people of his adopted State a good service.

Mr. Footner's latest book, *Rivers of the Eastern Shore*, tells the story of 17 rivers which traverse that garden spot of Maryland. He has unearthed many things which will surprise Marylanders. And some things, I believe, which will surprise our best historians.

For instance, he contends that the last blood of the Revolutionary War was shed in the Battle of Kedge's Straits, two weeks after the fight at James Island, S. C., on November 14, 1782, which heretofore has been called the last fight of the war. And the Battle of Kedge's Straits was an American defeat.

The battle was between five American barges under Commodore Walley and six "British" barges of Joseph Whaland, the Tory leader. Whaland and his Tories ravaged the lower Eastern Shore almost unmolested, and the patriots of Somerset and Worcester counties made many appeals to Annapolis for help.

The Commodore's barge was boarded by the enemy, and Walley was killed fighting on the deck of his ship. The other American barges beat a retreat, pursued by the enemy. As the result of an investigation, one of the American captains was dismissed from the service.

These Eastern Shore Tories were called Picaroons by the patriots and they were a hard lot—according to the patriots. They plundered and burned the homes of loyal Americans and became so bold that at one time they had both the Wicomico and Nanticoke rivers blockaded.

Mr. Footner makes other statements which are apt to shock some of the natives. In the Courthouse at Princess Anne, one of the loveliest towns on the Shore, hangs a fine, contemporary portrait of Good Queen Anne, by Sir Godfrey Kneller. And Queen Anne is pointed out as the patron saint of the town.

But Mr. Footner says that Princess Anne was not named for Queen Anne, who was so generous with Communion plate for the Maryland churches,

but for another and less distinguished Princess Anne, the daughter of George II.

Mr. Footner divides the people of the Shore into two distinct groups, separated by the Choptank river. He holds that the difference between those who dwell north of the dividing line and those who live in what Mencken dubbed Transchoptankia is largely spiritual. And he follows this with the unique theory that the lower Shore was settled early by Quakers from Virginia, who were non-conformists and independent folk, and, as a result, the residents of this section are more inclined to lawlessness than are their brethren north of the Choptank.

Rivers of the Eastern Shore is written in Mr. Footner's most engaging style, and makes excellent reading for those who do not take history too seriously.

RICHARD D. STEUART

George Henry Calvert, American Literary Pioneer. By IDA GERTRUDE EVERSON. New York: Columbia University Press, 1944. 330 pp. \$3.75.

A biography, when done with care and judgment, is always a useful book, even though its subject may not have been a major figure; and it is fortunate when the toil of preparing a Ph. D. dissertation can be directed to such a task. Dr. Everson has studied George Henry Calvert with great thoroughness and has presented the results in a readable book.

It is quite true, as she remarks, that Calvert "has been all but forgotten." His name has disappeared from the biographical dictionaries and literary manuals and his books are out of print and out of mind. His fine bust done in marble by Hiram Powers stands unnoted in the Johns Hopkins University Library and the shelf of his numerous works, presented years ago by his widow, is rarely disturbed. Yet the story of his life has many sources of interest. There is his mysterious kinship with the family of the Maryland proprietaries and his maternal ancestry reaching back to Peter Paul Rubens, whose life he wrote; his boyhood on a Maryland plantation; his study at Harvard and his share there in "the great rebellion"; and his study and travel abroad. Interesting also are his literary friendships. In 1835 he called on Goethe, then seventy-five, as a few years later he sought out Wordsworth at Rydal Mount; and both visits bore fruit, for Calvert was the first American to write a biography of Goethe and the first to devote a volume to the life and work of Wordsworth.

Having a small competence inherited through his mother, he made bold to ignore his father's advice to choose a rich wife or a lucrative profession, married Elizabeth Steuart in 1829, and set up a home on Pleasant Street, Baltimore, in which to make literature his career. After varied experiences as critic, editor, and professor of philosophy, he decided to try the more congenial intellectual atmosphere of New England. In September 1844 he bought a home in Newport, Rhode Island, and lived there for more than forty years, writing, lecturing, and dipping into local politics, meanwhile

enjoying the friendship of the Boston literary coterie and particularly of Emerson and Margaret Fuller.

Whether this career justifies Dr. Everson's subtitle, "American literary pioneer," is open to question. Calvert was indeed one of our early interpreters of European culture; but he did not blaze trails which a later generation was to tread. He was, to use his own word, susceptible of new ideas—phrenology, Fourierism, spiritualism, hydropathy, vegetarianism—but in his perception of literary trends and his judgment of contemporary taste he lagged behind rather than led his age.

Poe's description of George Calvert's poetry as "feeble and commonplace" was perhaps needlessly harsh; but dull the verses certainly are, and the prose, except for some special interest, is no longer to be recommended for reading. The man's biography is another matter and, especially in the part of it that concerns his residence in Maryland, it will reward examination.

JOHN C. FRENCH

Some Addresses—The By-Product of a Federal Judge. By W. CALVIN CHESNUT. [Baltimore: Privately printed, 1944.] 288 pp.

Judge Chesnut in his foreword modestly cautions the reader that the addresses are "for reference rather than for steady reading." But "steady reading" is what laymen, no less than lawyers, should give to this collection covering a range of useful information. It is not possible, in a short review, to even approach the contents of the addresses. One may only state the subjects, with a few comments, leaving to interested persons further consideration.

The first address—"History of the Federal Courts in Maryland"—will hold the reader because of local history. From the first session of the Federal Court held 1790 in Baltimore Town to the present, one learns of early judges, court officers, places of holding court and some famous cases. There pass in review names of men who made Maryland famous. We are told that Judge William Paca, the first District Judge, was always punctual in attendance, and his example has certainly been followed by those of his successors who are remembered by lawyers now practicing. Lost to history is the location before 1822 of the Baltimore Federal Court House, though the Court records show a session of the Court at "Evans Inn"—(also lost to memory)—thereby holding equal honor with the Supreme Court which once held its session at a tavern. But an early American inn perhaps had the flavor of an English one, to which Dr. Johnson was wont to pay such high tribute.

There follows a series of addresses on various subjects delivered to particular groups and an interesting article originally appearing in the *Pennsylvania Law Review* on the history of the ground rent system in Maryland and Pennsylvania.

The addresses on "Improvements in Judicial Procedure," "English Courts" and "Probation in Criminal Procedure" will attract the lawyer,

but laymen observing court procedure will profit by reading them. That is particularly so of the "English Courts," for one can learn much about the administration of law from English judges and lawyers, who are such masters of their craft. The address on the probation system considers the age-old question "does punishment deter?"

"The Courts and the Press" is a valuable paper. We are largely indebted to Mr. Jefferson for the constitutional guarantee of a free press, meaning a press free from government license or censorship. Regarding it he once wrote "Nature has given to man no other means of sifting out the truth, either in religion, laws or politics." But the privilege has its limitations. It does not mean privilege to libel or "trial by newspapers." It is with relation to the last that Judge Chesnut makes a "warrant of resurvey of the dividing line between 'freedom of the press' and contempt of court," and the resurvey is certainly well done.

There is an address on the late Judge John C. Rose, sometime District and Circuit Judge, a gentleman of outstanding personality and learning. Another is to naturalized citizens outlining their obligations to their new country. Still another is that welcoming Dr. Bowman to the Johns Hopkins University, with the short address presenting to the University the portrait of Hon. Newton D. Baker, of the Class of 1892, distinguished lawyer and Secretary of War under Mr. Wilson. Other addresses are to the Alumni of the law school where affectionate tribute was paid to Judge Henry David Harlan, an able jurist and one of Maryland's finest citizens; to the St. George's Society in Baltimore, now existing for nearly eighty years; the Civic League of Roland Park; the Society of the Sons of Revolution and at Bel Air on "I am an American Day."

As is to be expected from one, who while at the bar was a finished lawyer and now distinguished judge, the addresses are thoroughly prepared. Published by Judge Chesnut for private circulation, he has thoughtfully placed the volume on the shelves of the libraries where it may be obtained by interested readers.

CHARLES C. WALLACE

National Academy of Design Exhibition Record, 1826-1860. New York: New-York Historical Society, 1943. 2 vols.

"The National Academy of Design Exhibition Record 1826-1860" compiled by Bartlett Cowdry and published by the New York Historical Society places in the hands of scholars in the field of American history and the history of American art a work as useful as the late Algernon Graves' *The Royal Academy of Arts . . .*, with the valuable additional help of a most complete index which includes artist, subject and owner. These two volumes contain a mine of first hand information and give immediately material which heretofore could not have been obtained without months of searching. For those whose interests make this type of reading a favorite form of literature it provides many hours of pleasurable study.

Miss Cowdrey's concise and thorough Introduction gives a brief sketch of the National Academy, cites her sources and clearly defines the scope and purpose of the volumes; it is unnecessary to paraphrase it here but one may acknowledge the fact that libraries, museums, historical societies and many individuals in varied fields are indebted to her for filling a long felt need, and to the New York Historical Society for making the work available to the public. It remains but to urge other old institutions to republish their catalogues and pamphlets in as fine a manner.

In the field of *Marylandia* the volumes give such facts as: At the first exhibition, in 1826, one E. W. Bridges exhibited a View of the Exchange at Baltimore; that Robert Cary Long exhibited architectural designs in 1827 and 1828 and at the time of his death was an Honorary Member, Professional; that Robert Gilmore was elected an Honorary Member, Amateur, in 1833; that in 1835 William James Bennett exhibited a View of Etna Mills, Jones Falls; that Maximilian Godefroy exhibited his Battle of Pultowa in 1842; in 1843 a portrait of Miss Josephine Clifton was exhibited by John Beale Bordley; that Alfred J. Miller exhibited in 1844 and 1845; in 1858 Thomas W. Wood exhibited "The Baltimore News Vendor" (owned by John C. Brune); that the miniature of Mrs. William Greenway by George Freeman, now owned by the Maryland Historical Society, was exhibited in 1844. Another item from the Society's collection, "The Jester," a drawing by Frank B. Mayer, was exhibited in 1860. Originally owned by S. H. Wyman, it was given to the Society by the late Mrs. H. Irvine Keyser in 1925 and is a portrait of "Crazy Jakes," a Negro character of Baltimore, the brother of Frederick and Henry Jakes, the well known caterers from c. 1840 to c. 1870.

ANNA WELLS RUTLEDGE

Quebec to Carolina in 1785-1786. Being the Travel Diary and Observations of Robert Hunter, Jr., a Young Merchant of London. Edited by LOUIS B. WRIGHT and MARION TINLING. San Marino, Cal.: Huntington Library, 1943. 393 pp.

Marylanders will be interested in what young Robert Hunter, Jr. thought of Baltimore when he visited there just after the Revolution. The twenty-year-old English merchant appears to have been introduced to the most prominent people in the town. He dined with Colonel Samuel Smith and Colonel John Eager Howard and called on Robert Gilmore. At Colonel Smith's he enjoyed a minuet. "The ladies," wrote Hunter, "are perfectly free and easy in their manners, dress remarkably well, and dance still better. They are much gayier here than in Philadelphia."

The young merchant thought "Belvidera," the home of John Eager Howard, "a most beautiful spot." Coming home from a dance given there by Colonel Howard, Hunter related how "every jolt of the wagon gave me a genteel opportunity of either grasping a charming waist or taking hold of a delightful hand. It's something uncommon to Europeans to return from an assembly with ladies in a wagon. . . ."

The youth was astonished by all the commercial activity he saw in Baltimore, by the market place, the number of shops, and ships in the harbor. From Baltimore he went to Mount Vernon where he had the honor of being "lighted up" to his bedroom by General Washington himself. Hunter was impressed by Washington's "noble and venerable appearance."

Baltimore was one of the few places in America which the young Englishman really liked. He was disappointed with Richmond where, according to the diarist, "the streets are up to your knees in mud almost every step you take in a bad day, and in the summertime you are blinded with dust. The houses are almost all built of wood and painted different colors. . . . The governor's house is a very poor one and the courthouse the shabbiest I ever saw. . . ." In view of the fact that Richmond had been founded about fifty years before this and had been the capital of Virginia only since 1779, this criticism was hardly fair.

Places south of Richmond did not make a better impression on Hunter. He complained of the cost of travelling in America when it then amounted to about a guinea a day. Bugs and mosquitoes plagued him on his travels; his body became swollen from their bites. He describes Wilmington as "the most disagreeable, sandy, barren town I have visited on the continent—consisting of a few scattered wood and brick houses. . . ." Although Hunter also visited Boston, Philadelphia and New York, he thought there was little variety in the American scene. In one entry in his diary he wrote that he was sick of "this cursed country and every day grow more and more averse to it. It's impossible for a man here to have any pleasure or satisfaction in his life. . . ."

As a diarist young Hunter shows no literary ability or style and too often his comments display the smugness characteristic of a privileged English youth. At the same time it should be remembered that he travelled through Canada and America at an extremely interesting period in their history. For this reason, and also due to the fact that Hunter often gives us many details about travelling, taverns and local customs, his diary is an important and at times vivid description of American life in the late eighteenth century.

RAPHAEL SEMMES

Early Catonsville and the Caton Family. By GEORGE C. KEIDEL. Reprinted from the *Catonsville Argus*, 1912-1913. [Privately printed], Baltimore, 1944.

Dr. Keidel's little book rambles up and down and around in Baltimore County and never gets very far from Catonsville. It is not a detailed history, and perhaps it never would have been had the author lived to complete it. That it was a labor of love, and that the laborer knew every inch of his territory shows on every page. The chapters were published in the Catonsville paper thirty years ago and now are brought into a book, with the assistance of William B. Marye and, one suspects, of the editor of this *Magazine*. It is not possible to quote much of the contents, but a reading

of the chapter heads gives an idea of the whole: Geological History; Indian History; Hunters and Trappers; Patapsco a Thoroughfare; Early Hunting Ridge Grants; Mrs. Richard Caton. The illustrations add to the attractiveness of the book: an index of proper names would have added still more.

ELIZABETH MERRITT

Historical Societies in the United States and Canada: A Handbook. Compiled and edited by CHRISTOPHER CRITTENDEN, Editor, and DORIS GODARD, Editorial Associate. Washington, D. C.: American Association for State and Local History, 1944. 261 pp. \$2.50.

This book expands and brings up to date the preceding Handbook (1936) and is number 4 in the series which began in 1908. It lists no less than 904 active historical societies and 564 others of which there is record but which failed to send information regarding themselves; no doubt many of these last are moribund. This showing compares with 583 active and 15 non-reporting societies shown in the 1936 handbook—sufficient evidence of the growing interest in local history, which in Maryland as elsewhere has been marked during the last decade. Besides the obvious data on the individual institutions the Handbook furnishes the financial status and annual dues, size of library and special collections, character of museum holdings, publications, lectures and other activities. Maryland is represented by 12 active (in which the Hall of Records is included) and 3 inactive societies.

J. W. F.

Local History: How to Gather It, Write It, and Publish It. By DONALD DEAN PARKER. Revised and edited by Bertha E. Josephson for the Committee on Guide for Study of Local History of the Social Science Research Council. [1944] 186 pp. \$1.00.

This is a guide to the preparation of articles and books on all phases of local history. Seemingly nothing is overlooked, from sources of information to details of composition, indexing and modes of publication or reproduction. If some of the text seems trite, we may remember that the book is intended for the guidance of beginners. On the other hand, its summary of technical processes will be useful to all.

J. W. F.

NOTES AND QUERIES

Julian P. Boyd, Librarian at Princeton University, who is engaged in preparing for publication a full edition of the letters and other papers of Thomas Jefferson, has asked that the *Magazine* give emphasis to this project, not only in the interest of obtaining the cooperation of members

of the Society and other readers in forwarding letters of the third President for inclusion, but also to inform owners of manuscript collections that letters written *to Jefferson by others* are sought. Such material will be of great assistance in editing letters Jefferson himself wrote. All who own letters from or to Jefferson are requested to send Dr. Boyd photostats of such letters, or the originals for copying. The latter will be returned as soon as possible to the sender. This great undertaking, sponsored by Princeton University and underwritten by the New York Times Company, is expected to result in a set of about 50 printed volumes.

One of the most interesting occasions in the recent history of the Society was the address of the late Dr. Charles McLean Andrews at the meeting of the Society on May 5, 1941, on the topic "On the Preservation of Historical Manuscripts." Admirers of Dr. Andrews and students of history will be glad to know that the revised text of this address is contained in the first issue of the Third Series of the *William and Mary Quarterly*, which has now been enlarged to encompass the entire field of early American history. The number is dated January, 1944, and contains also a sketch of Dr. Andrews and a bibliography of his writings.

Moreland—Who were the parents of Hanson Bradley Moreland, who married Sarah Adkins in Alexandria, Va., on September 7, 1809?

Mrs. WILLIAM W. LINCOLN,
212 Bartlett Ave., Luray, Va.

CONTRIBUTORS TO THIS NUMBER

DR. MAX P. ALLEN is a member of the history department of Indiana University and is assistant director of the Indiana War History Commission. ☆ DR. WILLIAM D. HOYT, JR. is a member of the Society's staff. ☆ Co-author with Mrs. Francis F. Beirne of the book, *The Hammond-Harwood House and Its Owners* (Annapolis, 1941) EDITH ROSSITER BEVAN (Mrs. William F. Bevan) has long been a collector of bookplates and has generously contributed to the enrichment of the Society's collection. ☆ CAPT. CHARLES B. CLARK of the Marines is on active duty in the Pacific. He is a native of Ellicott City. ☆ Descended from several Maryland families, EMERSON B. ROBERTS has by way of avocation made extensive studies among the early Quaker pedigrees of the State. He is a member of the staff of the Westinghouse Company, Pittsburgh.

INDEX TO VOLUME XXXIX

Names of authors and titles of contributed papers and original documents are entered in small capitals. Titles of books reviewed or cited are in italics.

- Abercrombie, Miss., 294.
 AN ACCOUNT OF THE JOHN BROWN RAID, by Rosalie (Gannt) Thurston, Mrs. Charles Buckner, 162-163
 Adams, James Truslow, editor, *Album of American History: Colonial Period*, reviewed, 165-166
 Adams, William, 66, 71
 Addison, Rev. Walter Dulany, 245
 William Meade, 245
 Admiralty, Board of, U. S. N., 43-44
 Agent and Receiver General (Maryland), 53, 54
 Aikman, William, bookseller, 314
 Alagon, Duke of, 130, 131
 Albert, Augustus, 150
 Albion, Robert G., 17
Album of American History: Colonial Period, edited by James Truslow Adams, reviewed, 165-166
 Alcock, Hannah, Mrs. Thomas, 343, 344
 Thomas, 343, 344
 Alexander, Thomas Harwood, 245
 Thomas S., 317
 All Saints Parish, Frederick County, 59 ff.
 Allen, John, 346
 Max P., 358
 MAX P., *William Pinkney's First Public Service*, 277-292
 Bennet, 49-72, 106
 Elizabeth, 51, 52, 56, 61 ff.
 Allison, Rev. Patrick, 6
 Maj. Richard T., 138, 139
 Alricks, Hermanus, 203, 215, 221, 301
American and Commercial Daily Advertiser, 101
American Historical Societies, 1790-1860, by Leslie W. Dunlap, reviewed, 273
American Literature in Nineteenth-Century England, by Clarence Gohdes, 175
 American party, (Know-nothing party), 25, 26, 28
 "Amicable Society," 117
 AMONG THE "MEETERS AT THE BAY-SIDE," by Emerson B. Roberts, 335-344
 Anderson, Maj. Archibald, 82
 Ephraim F., 47
 André, Maj. John, 273
 Andrews, Charles McLean, 358
 Matthew Page, 27, 170, 174
 Matthew Page, *Social Planning by Frontier Thinkers*, 175
 Angle, Paul M., 30
 Anne, Queen, 351, 352
Annual Register, 70
 Archer, Dr. John, 104, 126
Archives of Maryland, LIX, reviewed, 168-169
Archives of Maryland, LX, reviewed, 345-347
 "Aristides" (pseud. for Alex. Contee Hanson), 281, 286
 Armistead, Maj. George, 181, 190, 195, 196, 198, 204, 218, 223, 224, 295 ff.
 Armstrong, James, 203, 208, 303
 John, Sec'y of War, 182 ff.
 Arnest, Caleb, 210, 216
 Ascension Church, Westminster, 238, 242
 Assembly Rooms, 7
 Association for Improving the Condition of the Poor, 117
 Association of Freemen of Maryland, 277
 Athenaeum, The, 2-3, 23
 Auckerman, George, 210, 216, 218, 297
 Audubon, J. J., 23
 Austrian, Charles R., M. D., 165
 "Avondale," Carroll County, 237
 Babcock, Capt. Samuel, 214, 217, 218, 297, 300, 303
 Badger, Miss., 243
 Baker, Newton D., 354
 Balch, Thomas, 82
 Baldwin, Benjamin R., 285
 Summerfield, 139
 Ball, Elizabeth (Kemp), Mrs. James, 338, 340
 James, 338, 340
 Susannah, Mrs. Thomas, 337, 340
 Lieut. Thomas, 337, 338, 340
 Baltimore, Charles, 3rd Lord, 103
 Frederick, 6th Lord, 53, 54, 56, 57
Baltimore American, 16, 150, 151, 153, ff., 294, 296, 298, 316, 317, 326

- Baltimore and Potomac Steam Packet Company, 124
 Baltimore and Susquehanna Railroad, 125
 Baltimore *Clipper*, 29, 31, 34, 45 ff., 319
Baltimore Daily Gazette, 153, 319
Baltimore Daily Repository, 8
Baltimore Evening Post, 101
 Baltimore Fire Insurance Company, 111
Baltimore Gazette, 101
Baltimore Patriot, 101
Baltimore Patriot and Evening Advertiser, 101
Baltimore Telegraph, 101
 Baltimore Water Company, 97
 Bancroft, George, 282, 284
 Baringer, William, 27
 Barker, Charles Albro, 169
 Barnes, Samuel, 100
 Barney, Commodore Joshua, 203
 William B., 203
 William Chase, 102, 103
 Barr, John, innkeeper, 121
 R. H., 124
 Barringer, Mr., 131
 Barry, Robert, 223, 300
 Bartgis, Matthias & Son, Frederick, 107
 Bartlett, John, 340, 341
 Sarah Pascall (Kemp), Mrs. John, 341, 340
 Bateman, Lord, 64
 Bates, Edward, 27, 29
 Bathurst, Lord, 65
 Beale, Gen. Edward F., 261
 Capt. George, 261
 Lieut. Thomas, 83, 84
 Beale, Truxton, 261
 Beall, Lieut. Thomas, 83, 84
 Beard, Charles A., 283, 284
 Beatty, James, 215, 219, 296
 Beck, George, 350
 Becker, Ernest J., 174
 Beckham, Mr., 163
Behind the Lines in the Southern Confederacy, by Charles W. Ramsdell, reviewed, 85
 Beirne, Francis F., 90
 Rosamond R., Mrs. Francis F., 92, 280, 358
 Belfast, Frederick County, 96
 Bell, Alexander Graham, 225
 John (Tennessee), 28, 331
 "Belvoir," Anne Arundel Co., 252
 "Belvidera," 355
 Bend, Rev. J. G. J., 6
 BENNET ALLEN, FIGHTING PARSON, by Josephine Fisher, 49-72
 Bennett, Ann Murray (Carmichael), Mrs. Richard, 274
 William James, 355
 Berry, Capt. 195
 Benjamin, 202, 207, 211, 215, 217, 221, 299
 Betty's Cove Meeting, 335
 Bevan, Edith R., Mrs. William F., 94, 280, 358
 BEVAN, EDITH ROSSITER, *Early Maryland Bookplates*, 310-314
 Birnie, C., 96
 Bishop, Liman (Luman), 309
 Black, Judge James, 147
 William, 150
 Bladensburg, 179, 181, 182, 184
 Blaine, James G., 319
 Blair, Francis P., Sr., 26
 Francis P. Jr., 26
 Montgomery, 25-48, 152
 Blake, Peter, the Immigrant, 338
 Bland, Theodorick, 199, 203 ff., 245
 Bohn, Charles, 211, 216
 Bolgiano, Francis W., 215
 Bonaparte, Charles Jerome, 137
 Bond, Judge Carroll T., 345
 Peter, 203, 207, 209, 211, 214, 221, 223
 Hugh Lennox, 34, 154, 155
 Thomas, 314
 Judge Thomas, 93
 Tobias, 100
 Bonifant, Washington, 29
 Bookplates, 310-314
 Bordley, John Beale, 355
 Boteler, Jemima (Davis), Mrs. Walter, 275
 Walter, 275
 Boucher, (Jonathan), 52, 60
 "Boulton," 335, 336, 338, 341
 "Boulton Addition," 336
 Bouquet, Gen. Henry, 273
 Bourk, Dr. Thomas, 122
 Bourne, H. R. Fox, 70
 Bowdoin, Mrs. Henry J., 142, 144, 145
 Bowie, Capt. Daniel, 82
 Capt. Eversfield, 261
 Lucy Leigh, 176, 238
 BOWIE, LUCY LEIGH, *Madame Grelaud's French School*, 141-149
 Bowie, Mary Eliza (Oden), Mrs. William Duckett, 264
 Oden, 149, 150, 155
 Gov. Oden, 264
 Mrs. W. Beall, 143
 Col. William Duckett, 264
 Family, 263
 Boyd, Julian P., 357

- Bozman, John Leeds, 311
 Bracco, Capt. Bennett, 82
 Bradford, Gov. A. W., 31, 149, 152,
 154, 156, 159, 161, 316, 321
 Brady, Thomas M., Baltimore, 93
 Brand, Rev. William F., 254, 255
 Brawner, Mr., 215
 Breckinridge, John C., 28
 Rev. Robert J., 118
 Brent, Mrs. Robert F., 4
 Robert James, 245, 246
 Brewer, James R., 150
 Brice, Miss., 250
 John, Jr., 9
 Nicholas, 6
 Bridges, E. W., 355
 A BRIEF SUMMARY OF THE MARY-
 LAND HISTORICAL SOCIETY'S HUNDRED
 YEARS, by Samuel K. Dennis, 1-5
 Briers (Bryers), Lewis, 220
 Brigham, Clarence S., *Edgar Allan Poe's*
 Contributions to Alexander's Weekly
 Messenger, 93
 Briscoe, Col. James T., 149
 Broadrides, Maryland Historical Society
 Collection of
 "Abingdon and Cokesbury Col-
 lege," 118
 "An Act to Incorporate the Balti-
 more Steam Packet Company,"
 125
 "An Address to Robert Lemmon,
 Esq. by Luther Martin," 107
 "Address to the Patrons of the
 Western Continent," 101
 "An Appeal . . . to erect at old
 St. Mary's City . . . a memorial
 church . . .," 118
 "Articles for the Government of
 the Commercial Fire-Company
 of Baltimore," 109
 "Articles for the Government of
 the Union Fire Company in
 Baltimore," 110
 "Baltimore Assembly," 116
 "Baltimore-Town, Committee-
 Chamber, Dec. 2, 1784," 111
 "The Boot Black Boy's Address to
 his Patrons," 101
 "Bridge Lottery," Conococheague
 River, 113
 "A Brief Extract from the Proceed-
 ings of the Trustees of the
 Board of Agriculture for the
 Eastern Shore," 97
 "The Case of the Lord Baltimore,"
 103
 "Catalogue of the Faculty and
 Students of Dickinson College,
 Carlisle, December, 1811," 107
 "A Caution to Purchasers," 96
 "Chesapeake and Ohio Canal no.
 3," 126
 "Children of Zion," 119
 "Conditions of Sale of the Right
 Honourable Lord Baltimore's
 Manors & Reserved Lands," 96
 "Constitution and Bye-Laws of the
 Female Sabbath School Society
 of Easton, Maryland," 118
 "Constitution for the Government
 of the Maryland Auxiliary So-
 ciety, for Colonizing the Free
 People of Color . . .," 120
 "Constitution of the First Balti-
 more Hose Company," 110
 "Constitution of the Maryland So-
 ciety for Promoting Internal
 Improvement," 124
 "Daniel in the Lions' Den," 119
 "The Dying Christian," 119
 "The Dying Saint," 119
 "An Earnest and Direct Appeal
 to those Citizens of Baltimore
 . . .," 112
 "Election . . . of four delegates . .
 [of] Baltimore County," 121
 "Encampment of Knight Templars
 no. 1 Maryland," 117
 "Exhibition and Fair, under the
 direction of the Maryland Agri-
 cultural Society," 1822, 96
 "Extracts from an ordinance to
 mitigate the distress occasioned
 by the . . . fever," 103
 "Facts! Facts!" 118
 "A Few Reasons in Support of the
 Annexed Plan for a 'Maryland
 State Bank' . . .," 125
 "Freeman of Frederick County,
 Look at This," 100
 "Friendly Hints in Various Sub-
 jects," 107
 "General Agricultural and Horti-
 cultural Establishment . . .,"
 97
 "Good News," 119
 "Great Surgical Lottery," 113
 "Horn's Dying Speech," 117
 "The Humble Address of Tobias
 Bond and Benjamin Welch,"
 Before p. 95, 100
 "Hymns to be sung at the Tenth
 Anniversary of the Reformed
 Church Sabbath Schools, Second
 Street," 119
 "Judge Carmichael's Charge to the

- Grand Jury of Talbot County on Arbitrary Arrests," 103
- "Lectures on the Natural Sciences at the Baltimore Athenaeum," 116
- "A Letter to James Lloyd Chamberlaine, Esq., of Talbot County," 122
- "The Library Company of Baltimore," 116
- "Lights along the Shore," 119
- "List of Families and other persons residing in the Town of Baltimore . . . in the year 1752," 111
- "List of Members of the Bible Society of Baltimore, Sept. 1815," 118
- "List of Members of the Senate and House . . .," 121
- "A Lottery for disposing of a large and valuable collection of books, maps, etc.," 113
- "Maryland Historical Society," 116
- "Maryland Lottery to be drawn in Baltimore on the Havana Plan," 114
- "The Old Town Clock," 119
- "Order of Performance at the Ordination of Mr. Jared Sparks, to the Pastoral Care of the First Independent Church of Baltimore," 118
- "An Ordinance to regulate the Inspection of Beef and Pork," 124
- "A Pastoral Letter . . . of the Second Presbyterian Church . . .," 118
- "A pedantic PEDAGOGUE, suddenly metamorphosed into a GENERAL OF LAW . . .," 107
- "A Plan of the Female Humane Association Charity School," 117
- "Please Read," 109
- "The Poor of the Third Ward," 117
- "Programma of the M. E. Sunday School Exhibition . . . June 11, 1849 . . .," 118
- "Proposals for Establishing a Circulating Library in Baltimore-Town," 99
- "Prospectus. To the Patrons of the Eastern Shore Whig . . .," 100
- "Queries addressed to Robert Lemmon, Esq.," 107
- "Queries to the Whigs of Maryland," 106
- "Rates of Toll," 123
- "Rates of Toll on the Susquehanna and Tide-Water Canals . . .," 126
- "Reply to the Baltimore Methodist Trustees," 118
- "Retrenchment," 109
- "Rules of the Frederick County Alms House, October, 1833," 117
- "Rules to be observed by the Hands Employed in the Brick-Making Business . . .," 97
- "Sacred to the Memory of Gen. James M. Lingan," 99-100
- "Samuel Chase and Thomas Chase—Deed of Cession, &c. to the Mayor and City Council of Baltimore," 122, 124
- "Sketch of the Life of Poor Old Moses," 120
- "Snow Plow for rail and common roads," 125
- "Song of the Sons of Temperance," 121
- "Stop Thief. 25 Dollars Reward!," 122
- "A Summary of all the monies received and paid . . .," 111
- "Table of Rates," 121
- "Take Notice, the Friends of Philemon Towson . . .," 121
- "Take Notice, Two Ways only lead to this Shop, Charity or Money," 104
- "A Testimony of the Baltimore Monthly Meeting . . . concerning . . . Elizabeth Thomas," 118
- "33,000 dollars Grand Consolidated Lottery of Maryland," 114
- "To my Children," 118
- "To my Fellow Citizens of Baltimore," 124
- "To Robert Lemmon, Esq.," 107
- "To Stephen Watters, Esq.," 126
- "To the Citizens of Baltimore-Town," 103
- "To the Citizens of Maryland," 116
- "To the Citizens of Talbot," 108-109
- "To the Convention of the P. E. Church of Maryland," 98
- "To the Freemen of Frederick County," 100

- "To the Honorable the Mayor and Members of the City Council of Baltimore," 125
- "To the inhabitants of the Eastern Shore of Maryland," 107
- "To the People of Baltimore," 99
- "To the People of Calvert County," 106, 120
- "To the People of Harford County," 104, 126
- "To the People of Maryland," 113
- "To the Polls! Freemen of Frederick County," 112
- "To the Public," 103, 106, 107, 118
- "To the Roman Catholic Voters in Baltimore Town," 118
- "To the Voters of Baltimore," 101
- "To the Voters of Baltimore City and County," 126
- "To the Voters of the Eastern Shore of Maryland," 124
- "To the Voters of Harford County," 100
- "To the Voters of Talbot County," 1830, 108
- "To the Voters of Talbot County," c. 1818, 112
- "To the Working Men, Mechanics and others," 99
- "To the Worthy Electors of Frederick County," 109
- "Watchman's Address on the Return of Christmas, 1846," 101
- "Walter Slicer's Inn, Twelve miles east of Cumberland," 121
- Brobeck, Florence, 172
- Brome, Dr. John M., 74
- Brooks, James, 68 ff.
- Brown, Capt. George I., 306
 - John, Raid of, 162-163
 - Ralph H., *Mirror for Americans: Likeness of the Eastern Seaboard*, reviewed, 89-90
 - Richard LeBaron, *The Providence Oath of Allegiance and First Signers*, reviewed, 92
 - William, 212
- Browne, William Hand, 4
- Bruce, William Cabell, 127
- Brune, Anne Letitia (Coale), Mrs. J., 256
 - Frederick W., Sr., 240
 - Frederick W., Jr., 116, 240
 - John C., 240, 355
- Bryant, William Cullen, and Gay, Sidney H., 74 ff.
- Bryson, Capt. Andrew, 107
- Buchanan, G., 116
 - James A., 202, 204 ff., 218, 224, 303, 304
 - Smith and, 178
- Buckler family, 88
- "Buckroe," 344
- Buell, Rev. David Hillhouse, 238, 239, 249
 - Walter, 38
- Burckhardt, Jacob, *Force and Freedom: Reflections on History*, edited by J. H. Nichols, 93
- Burgess, J. W., 283
- Burke, David, 203, 209, 214, 218, 220, 223, 299
- Burroughs, ———, (Tilghman), Mrs. Richard, 146
- Burton, Mr., 132
- Bussey, Edith (Philpot) Wilcoxon, Mrs. Matthew, 276
- Bussey, Matthew, 276
- Butler, Benjamin F., 38
- Butterfield, J., 130
- Cabell family, 88
- Caldwell, E. B., 300
- Calhoun, James, 202
 - Mayor James, 103
- Callender, James, 90
- Calvert, Benedict, 119
 - Charles Baltimore, 143, 315, 319, 320, 322, 323, 325, 331,
 - Elizabeth (Steuart), Mrs. George Henry, 352
 - George, of "Riversdale," 142, 144, 145
 - Mrs. George, 143-144
 - George Henry, 352, 353
 - Governor Leonard, 74, 76 ff.
- Cameron, Simon, 36, 39
- Camp, William, 203, 207, 209, 211, 220
- Carlisle, Pa., 273
- Carman, Harry J., 25, 94
 - William, 207, 210, 216
- Carmichael, Judge Richard B., 103, 149
 - family, 88
- Carr, James E., 150
 - Thomas, 96
- Carroll, Charles, of Annapolis, 171
 - Charles, Barrister, 279
 - Charles, of Carrollton, 13, 171, 279
 - Charles, the Immigrant, 171, 311
 - Daniel (1730-1796), 171-172, 283 ff.
 - Daniel, of Duddington, 171
 - Daniel, of Mt. Dillon, 93
 - Eleanor (Carroll), Mrs. Daniel, 171
 - Eleanor (Darnall), 171

- James, 312
 Archbishop John, 6, 9, 19, 171
 Thomas K., 158
 Dr. Thomas King, 47
 Carton, L. Roberts, 281
 Mrs. L. Roberts, 277, 278, 280 ff.
 "Catling's Plaine," 344
 Caton, Richard, 6, 357
 Catonsville, 356
 Catrup, William Marsh, 105
The Centenary of the Cincinnati Observatory, November 5, 1943, 175
 Chalmers, John, 206, 210, 216
 Chamberlaine, James Lloyd, 122
 Chambers, Judge Ezekiel F., 155, 157
 Chandler, William E., 43, 44
 Zachariah, 37
 Chapman, Berlin S., *The Chapman Family; A Study in the Social Development of Central West Virginia*, 93
The Chapman Family; A Study in the Social Development of Central West Virginia, by Berlin S. Chapman, 93
 Chappell, John, 118
 Charles County Court records, 345-347
 Charleston, S. C., 41-42
 Charsty, Edward J., Jr., 150
 Chase, Miss, of Annapolis, 147
 Ann (Baldwin), Mrs. Samuel, 279
 Elizabeth, 98
 Hester Ann, 251
 Hester (Baldwin), Mrs. Jeremiah Townley, 251, 279
 Jeremiah Townley, 251, 279, 285, 287 ff.
 Mathilde (Chase), Mrs. Thomas, 279
 Rev. Richard, 279
 Salmon P., 30 ff.
 Samuel, 64, 96, 103, 118, 278, 279, 281, 283 ff., 312
 Thomas, 96, 98, 279
 Thomas, of Samuel, 279
Chesapeake Cruise, edited by Norman Alan Hill, reviewed, 169-170
 Chesley, Mary, 256
 Rev. William F., 255
 Chesney, Alan M., M. D. *The Johns Hopkins Hospital and the Johns Hopkins University School of Medicine. Volume I: Early Years, 1867-1893*, reviewed, 164-165
 Chesnut, Judge W. Calvin, *Some Addresses—The By-Product of a Federal Judge*, reviewed, 353-354
 Emma, 146
 Cheston, Dr. James, 257
 Sally Scott (Murray), Mrs. James, 257
 Chew, Mr., 239
 Frances (Holland), Mrs. Richard, 260
 Leonard Hollyday, 260
 Philemon, 260, 261
 Maj. Richard, 260
Christian Advocate and Journal, Baltimore, 100
 "A Church of England Planter" (pseud.), 59
 Church Point, St. Mary's County, 74
Civil Service Reformer, 137
 CIVILIAN DEFENSE IN BALTIMORE, 1814-1815, edited by William D. Hoyt, Jr., 199-224, 293-309
 Clagett, Adeline (Hodges) Mundell, Mrs. Thomas, 260
 Thomas, 260
 Clapham, John, 53, 56
 Clark, Charles Branch, 176, 358
 CLARK, CHARLES BRANCH, *Politics in Maryland during the Civil War*, 149-161, 315-331
 Robert, 336, 340
 Clarke, Daniel, 149
 Mary Patterson, *Parliamentary Privilege in the American Colonies*, reviewed, 91-92
 Clayton, James W., 47
 Clifton, Josephine, 355
 Clopham (Clapham), Jonas, 211
 Clothier, Robert, 337, 340
 Coale, Edward J., 98, 114, 116, 256
 Cochrane, Admiral Sir Alexander, 185
 Cock, John, 341
 Cockburn, Admiral Sir George, 144
 The Coffee House, Baltimore, 99
 Cohen, Jacob I., 114
 Cokayne, Sarah (Kemp), Mrs. Thomas, 339, 340
 Thomas, 339, 340
 Cole, Arthur C., 25
 Philip, 102
 Colhoon, Mr. 243
 — (Ireland), Mrs. 243
 Collison, Elizabeth (Kemp), Mrs. George, 337, 340
 George (fl. 1696), 336, 337, 340
 Collyer, Dr., 104
Columbia (steamer), 125
 "Compton," 344
 Conditional Union Party, 31
 Confiscated British Property, *Journal of the Comm'r's of*, 285
 Conine's Lottery Office, 113, 115
 Conkling, Roscoe, 321
 Conn, Daniel, 206, 210, 216
 Conner, Daniel, 205, 296
 Conrad, Robert T., 280

- Considerations on the Propriety . . .*
 Dulany pamphlet, 58
 Constitutional Union party, 28 ff.
 CONTROVERSY OVER THE COMMAND AT
 BALTIMORE, IN THE WAR OF 1812,
 by Ralph Robinson, 177-198
 Cooper, Calvin, 210
 Corey, Giles, 165-166
 Corkran, Francis S., 29, 30, 33
 Courtney, Miss, 239
 Cowdry, Bartlett, 354
 Cox, Dr. Christopher C., 155, 158
 Capt. Walter, 83
 Craig, Mrs. Henry, 294-295
 Crane, William B., 170
 "Crazy Jakes," 355
 Creswell, John A. J., 32 ff., 155, 157,
 315, 318, 327, 328
 Crisfield, John W., 315, 318, 321 ff.
 Crittenden, Christopher, and Godard,
 Doris, editors, *Historical Societies in
 the United States and Canada: A
 Handbook*, 357
 Crocker, Rowland Robinson, 93
 Cumberland Independent, 100
 Cunmiller, Philip, 207, 210, 216
 Cunz, Dieter, 30
 Curson, (Curzon) R., 116
 Curtis, Mr. 303
 Custis, Eleanor (Calvert), Mrs. John
 Parke, 142
 Mrs. Eliza, Before 141
- Dabney, Miss, 147
 Benjamin, 148
Daily Exchange, Baltimore, 129
Daily Republican and Argus, Baltimore,
 101
*Daniel Carroll, A Frammer of the Con-
 stitution*, by Sister Mary Virginia
 Geiger, reviewed, 171-172
 Dartmouth, Lord, 67
 Davidson, John, 107
 Davis, David, 28, 43
 Henry Winter, 25-48, 150 ff., 316,
 317, 319, 327
 Jefferson, 91, 329
 Dawson, John, 103
 "Dawson's Fortune," 344
 Deale, Capt. James, 253
 Dearborn, Maj. Gen. John, 178, 185
 deButts, Judge John, 93
 Decker, George, 207, 211, 216
 DeCoursey, Lieut. Edward, 84
 DeFauvel (DeFouvel), Lt. Col., 297-298
 DeFourville, Maj., 217
 Delancy, James, 69, 70
 Delphian Club, 20
- Delaplaine, Edward S., 292
Delaware's Forgotten Folk, by C. A.
 Weslager, reviewed, 86
 Democratic party, 25 ff., 149, 150, 152,
 155 ff.
 Denison, Gen. Andrew W., 46
 Dennett, Tyler, 39, 40, 43
 Dennis, Judge Samuel K., 94
 DENNIS, SAMUEL K., *A Brief Summary
 of the Maryland Historical Society's
 Hundred Years*, 1-5
 Dent, Lieut. George, 83, 84,
 Col. John F., 149
 Deptford Fire Company, Fells Point,
 Baltimore, 111
*The Development of the Colonial News-
 paper*, by Sidney Kobre, reviewed, 270
 Diamond, William, *The Economic
 Thought of Woodrow Wilson*, 92
 Dickinson, John, 58
 Dickson, Harold Edward, editor, *Obser-
 vations on American Art: Selections
 from the Writings of John Neal
 (1793-1876)*, reviewed, 166-167
 Dielman, Louis H., 4, 175
 Diffenderfer, Daniel, 212
 Peter, 212
 A DISCORDANT CHAPTER IN LINCOLN'S
 ADMINISTRATION: THE DAVIS BLAIR
 CONTROVERSY, by Reinhard H. Luthin,
 25-48
 Divers, Ananias, 120
 Dix & Fogg, 241
 Dixon, Elizabeth (Kemp), Mrs. John,
 338-339, 340
 John, 338-339, 340
 Dodson, Robert, 103
 Dolan, John J., 281
 Doolittle, James R., 27
 Dorsey, Mr., 302
 Messrs., 285
 Caleb, 246
 Col. Charles Samuel Worthington,
 246
 Edward, of Kentucky, 246
 G. Volney, 39
 John Worthington, Jr., 246
 Thomas, 286
 Judge Thomas Beale, 246
 Douglas, Gen. (George), 184, 196, 223,
 303
 Stephen A., 28
 Downes, Philemon St. John, 93
 Dubreul, Rev. Fr., 128
 Ducker, Jeremiah, 96
 Dugan, Cumberland, 199, 203, 208, 215,
 301
 Duke, Su., 93
 Dukehart, Valerius, 98

- Dulany, Benjamin, 67
 Daniel, 53, 58, 66 ff., 279
 Capt. Grafton, 67
 Lloyd, 67 ff., 106, 279
 Walter, 49 ff., 106
 Dunbar, Dr. John R. W., 240
 Dunlap, Leslie W., *American Historical Societies, 1790-1860*, reviewed, 273
 DuPont, Henry A., 42
 Rear Adm. Samuel F., 41 ff.
 Durang, Mr. F., 294
 Durham, Lloyd, 96
 Duvall, Judge Gabriel, 281, 314
- Earle, James T., 133
Early Catonsville and the Caton Family, by George C. Keidel, reviewed, 356-357
The Early History of the Stricklands of Sizergb, by S. Lee Washington, 93
 EARLY MARYLAND BOOKPLATES, by Edith Rossiter Bevan, 310-314
 "East St. Mary's," St. Mary's Co., 74
 Eastern High School, Committee of the Faculty of, *Through the Years at the Eastern High School*, reviewed, 173-174
 Ebeling, Christophe Daniel, 89
The Economic Thought of Woodrow Wilson, by William Diamond, 92
 Eddis, William, 57
 Eden, Sir Robert, 57, 67
Edgar Allan Poe's Contributions to Alexander's Weekly Messenger, by Clarence S. Brigham, 93
 Edmondson, Horatio, 142
 James, 343
 "Edmondson's Lower Cove," 344
 Edwards, Jonathan, 19
 Egerton, Hugh, 67
 Elder, Rev. Fr. Alexis, 127, 128
 Ellicott, Elias, 199, 202, 208
 James, 212
 Ellicott's Mills, 244 ff.
 Elliot, Jonathan, II, 286, 289, 290
 Emerson, Ralph Waldo, 353
The English Geographers and the Anglo-American Frontier in the Seventeenth Century, by Fulmer Mood, reviewed, 272
 Ernest, Caleb, 207
 Charles, 220
 Essary, J. Frederick, 25, 319
 Etting, Solomon, 199, 202, 208, 209, 296, 301, 302
 Eubank, Jane (Kemp) Clothier, Mrs.
 Thomas, 337, 340
 Thomas, 337, 340
- Evans, Capt., 301
 French S., 30
 Samuel M., 46
 Evans Inn, 353
 Eveleth, Mrs. James, 265
 Kate, 265, 266
 Everson, Ida Gertrude, *George Henry Calvert, American Literary Pioneer*, reviewed, 352-353
 Ewing, Thomas, 130, 131
 William P., 29
- The Family of Bray Wilkins, "Patriarch of Will's Hill," of Salem (Middleton) Mass.*, by William Carroll Hill, 93
 Fanny (vessel), 170
 Farnandis, William, 135
 Fazakerly, J., 64, 69
Federal Gazette, Baltimore, 16, 101
 Fernandis, Capt. James, 83, 84
 Fessenden (William Pitt), 318
Fifty Years in a Maryland Kitchen, by Jane (Gilmor) Howard, revised by Florence Brobeck, reviewed, 172-173
 Findlay, John Van Lear, 137, 317
 Fisher, John, 93
 Josephine, 94, 169
 FISHER, JOSEPHINE, *Bennet Allen, Fighting Parson*, 49-72
 Fisher, Robert, 210, 216
 Fitzhugh, George, 175
 William, 175
 Mrs. William H., 332
 Fleming, Walter L., 27
 Fletcher, Charlotte, 332
 Flower, Milton Embick, and Flower, Lenore Embick, *This Is Carlisle: A History of a Pennsylvania Town*, reviewed, 273
 Fogg, Dix and, 241
 Fonerden, Adam, 202, 207, 208, 211
 Footner, Hulbert, 170
 Hulbert, *Rivers of the Eastern Shore: Seventeen Maryland Rivers*, reviewed, 351-352
 Force, Peter, 62, 67, 81
Force and Freedom: Reflections on History, by Jacob Burckhardt, edited by J. H. Nichols, 93
 Ford, P(aul) L(eicester), 283
 Fourierism, 353
 Forman, Henry Chandlee, 74, 75
 Ft. McHenry, 181, 188 ff., 223, 297, 298
 Fort Warren, Boston, 132, 133
 Foster, James W., 4, 277, 357

- Fountain Inn, Baltimore, 99, 241
Four Late Eighteenth Century Anglo-American Landscape Painters, by J. Hall Pleasants, *reviewed*, 349-351
 "Fowling Creek," 344
 Fox, Gustavus V., 41 ff.
 Franciscus, George, 203
 Franklin, Benjamin, 66, 286
 Fabian, 136
 George E., 253
 Thomas, 247
 Franklin Fire Company, 111
 Frasure, Carl M., 28
 Frazier, Alexander, 93, 314
 Alexander, 93, 314
 John, Jr., 33
 William, 122
 Frederick County, 112
Frederick Examiner, 155, 160, 315-316, 318, 319
 Frederick Female Seminary, 108
Frederick-Town Herald, 100
 Freedmen's Bureau, 328
 Freeman, George, 355
 Frémont, John C., 37, 38, 152
 French, John C., 21
 Frick, Dr. George, 215
 Frisby, Richard, 203 ff., 209, 216, 219 ff., 295, 303, 309
 Fry, Samuel, 297
 Fuess, Claude M., 41
 Fuller, Margaret, 353
 William, 336
 Fulton, Edington, 46
- Gaither, Bvt. Maj. Henry, 83, 84
 Henry H., 93
 Gale, George, 286, 289
 Henrietta Maria, 147
 Levin, 147
 Galloway, Samuel, 56
 Gambrill, J. Montgomery, 166
 Gannt, Mrs. Elizabeth, 162, 163
 Gardiner, Major, 251
 Dr. Charles Llewellyn, 145
 Eliza Caroline (Leigh), Mrs.
 Charles Llewellyn, 145 ff.
 Gardner, George, 272
 Garratt, Mr., of Sykesville, 238
 Garrett family, 88
 Garrison, William Lloyd, 175
 Gary, Stephen, 342, 343
 Gascoyne, Bamber, 64, 69 ff.
 Gatchell, Jeremiah, 215, 294
 Gates, Gen., 62
 Geiger, Sister Mary Virginia, *Daniel Carroll, A Frammer of the Constitution*, *reviewed*, 171-172
- General Wayne Tavern, Baltimore, 102
Gentleman's Magazine, London, 70, 71
 George Fitzhugh, *Propagandist of the Old South*, by Harvey Wish, *reviewed*, 175
George Henry Calvert, American Literary Pioneer, by Ida Gertrude Everson, 352-353, *reviewed*
 Gibson, Hannah (Thompson) Rowe, Mrs. James, 94
 James, 94
 William, 123
 Gill, Ann E. (Deale), Mrs. John, 253
 George M., 133
 John, 253
 Richard W., 253
 Gillett, Ransom H., 130
 Gilliss, Hamlet, 96
 John, 96
 Gilman, Daniel Coit, 129, 136, 137, 183, 185
 Gilmor, Robert, 6, 350, 355
 Girard, Stephen, 142, 143
 Glenn, John (d. 1853), 128-129
 John (1829-1896), 129, 138
 John M., 129
 William Wilkins, 129
 Gliddon, George R., 116
 Godard, Doris, *see* Crittenden, Christopher, and Godard, Doris
 Goddard, Mary Katherine, 99, 107, 122
 William, 99, 270
 Godefroy, Maximilian, 355
 Godwin, Parke, 152
 Gohdes, Clarence, *American Literature in Nineteenth-Century England*, 175
 Gold, Peter, 207, 210, 216
 Goldsborough, Gov. Charles, 332-334
 Henry Howe, 154, 155
 Mary Emerson (Trippe), Mrs.
 Robert, 313
 Nicholas, 146
 Robert (fl. 1772), 313
 Robert H., 97
 William, 333, 334
 Goodwin, William, 119
 Gordon, Alexander, Jr., 198
 Capt. James, R. N., 183, 185
 Gorman, Arthur Pue, 139, 140
 Gott, Mrs., 257
 Gough, Mrs. Prudence, 313
 Goulbourn, J., 62, 63
 Gould, Mrs. William D., 332
 Gourdon, Ferdinando, 211, 216
 GOVERNOR CHARLES GOLDSBOROUGH'S
 VIEWS ON SLAVERY, 332-334
 Gracy, John, 210, 216
 Graham, Samuel A., 159

- Grant, Gen. Ulysses S., 85, 269
McCandless and Stenson, (inn-keepers), 121
Graves, Anna Melissa, "*I Have Tried to Think and Other Papers*," 93
Gray, Rev. J. B., 118
John T., 150
Greeley, Horace, 152
Green, Mrs. 294
Ann Catherine, Mrs. Jonas, 53
Frederick, 98, 107
Jonas, 98
Greenway, Mrs. William, 355
Grelaud, Arthur, 142
Madame Deborah, 141-149
John, 142, 146
Titon, 142
Grieves, H. C., 120
Grigsby, Hugh B., 291
Grimes, Elizabeth M., 45
Griswold, B. Howell, Jr., 3
Groombridge, William, 350
Groome, Elizabeth (Black), Mrs. John Charles, 147
James Black, 147
Col. John Charles, 147
Gross, John, 210, 216
"Groveland," Carroll County, 241, 243
Guinand, Henry, 93
Guy, Francis, 350
- Hale, John P., 42 ff.
Halkerstone, Lieut. John, 83
Hall, Clayton Colman, editor, 73
Ed., 256
Harry, 257
John, 279
Hallam, Mr. (Lewis), 7
Halsey, Mrs. Anna M., 275
Halstead, Murat, 27
Hambleton, Alexander, 104, 105
Samuel, 105, 317
Samuel, Jr., 108
Hamer, P. M., 277
Hammersley, Hugh, 49, 50, 53, 54, 58, 59
Hamilton, Dr. Alexander, 56
S. M., 185
Hammond, John, Annapolis, 52
Mathias, 279
Hampstead Hill, Baltimore, 188, 206
Handelian Charitable Society, 117
Hanson, Alexander Contee, 108, 283, 285 ff.
George, 94
John, Jr., 63, 64
Jonathan, 80
Harbison, Winfred A., 39
Harden, Miss, 146
- Harford, Frances Mary, 69
Henry, 69
Harlan, Judge Henry D., 354
Harris, Benjamin G., 155, 158, 315, 319 ff.
D., 116
Col. David, 301
David, 6
Edward, 207, 211, 216
J. Morrison, 2
Sally, 147
Mrs. Samuel, 294
W. Hall, 2
W. Hall, Jr., 2
Harrison, Ann Caroline (Harwood), Mrs. Benjamin, 246
Benjamin, 246
Elizabeth Catharine (Thompson), Mrs. Hugh T., 244
Rev. Hugh T., 244, 268
J. E., 76
Samuel A., 106
Capt. William, 82, 83
Haslam, John Buckley, 143
Hart, Albert Bushnell, 39
Harwood, Henry, 207, 210, 216
—— (Lloyd), Mrs. Henry Hall, 247, 248, 253
Peter, Jr., 338, 340
Susannah (Kemp) Stewart, Mrs. Peter Jr., 338, 340
Hawkins, William, 207, 211, 216
Hawley, Rev. Mr., 266
Hay (John) Nicolay (John G.) and, 36, 43
Hayden, Edwin Parsons, 245
Horace H., 245
Hayes, John, 11
Heiskell, J. Monroe, 138 ff.
Heitman, Francis B., 82
Helfenstein, Ernest, 60, 71
Hellman, Andrew, 117
Hemphill, Antoinette (Girard), Mrs. John, 143
John, 143
Henderson, Louisa (Patterson), Mrs. Robert R., 162
Henry, Patrick, 292
Herara, Anita, Mme. Isabella (Bell), 146
Herring, Ludwig, 207, 210, 216, 297
Hewitt, Eli, 207, 210, 216
Rev. Nathaniel Augustus, 239
Hertz, Emanuel, 46
Hervey, John, *Racing in America*, 1665-1865, reviewed, 347-349
Heuisler, Joseph S., 150
Heyward, Gen. William H., 119

- Hickman, John, 328, 329
 Nathaniel, 98
 Hicks, Thomas H., 30, 34, 40, 45, 315 ff.
 Hickson, George, 80
 Hignet (Hignat), John, 207, 211, 216
 Hill, Norman Alan, editor, *Chesapeake Cruise*, reviewed, 169-170
 Hill, William Carroll, *The Family of Bray Wilkins, "Patriarch of Will's Hill," of Salem (Middleton) Mass.*, 93
 Hilliary, Mr., 262
 Hindman, Capt. Edward, 83
 Rev. Samuel, 118
 THE HISTORIC MULBERRY TREE OF SAINT MARY'S CITY, by William B. Marye, 73-80
Historical Societies in the United States and Canada: A Handbook, compiled and edited by Christopher Crittenden . . . and Doris Godard, reviewed, 357
 Hite, Robert G., 195
 Hodges, Benjamin, 262
 John, 262
 Rebecca (Berry), 262
 Dr. Thomas Ramsey, 260
 Hodgkins, Lucy (Brooke), Mrs. Thomas, 260
 (Hodkins), Mr. Thomas, 260
 Hoffman, Henry W., 26, 29, 32, 34, 40, 45, 151
 Holland, Col. John G., 155, 158, 319
 William H., 158
 Hollingsworth, Jesse, 242, 243
 Samuel, 199, 202, 208, 211, 221
 Mrs. Samuel, 294
 Sophia (Baker), Mrs. Jesse, 243
 Hollins, John, 202, 295
 Hollyday, Ann (Bennett), Mrs. Henry, 274
 Frederic, 274
 Henry, 146, 274
 James, 275
 Margaretta (Goldsborough), Mrs. Henry, 146
 Richard C., 274
 Holton, Hart B., 159
 Hope, Thomas, 100
 Hopkinson, Francis, 284, 286
 Hosmer, John K., 36
 Howard, Charles Morris, 127
 Francis Key, 133
 Mrs. J. Spence, 75
 Jane (Gilmor), Mrs. Benjamin Chew, *Fifty Years in a Maryland Kitchen*, revised by Florence Brobeck, 172-173
 John Eager, 13, 181 ff., 199, 203, 205, 293, 296, 299, 355
 Mrs. John Eager, 295
 John Eager, Jr., 96, 181
 Howell, William H., 164
 Howland, Daniel, 207
 Hoyt, William D., Jr., 91, 94, 172, 272, 276, 358
 HOYT, WILLIAM, D., JR., ed., *A List of Promotions in the Maryland Regular Troops*, 81-84
 HOYT, WILLIAM D., JR., editor, *Civilian Defense in Baltimore, 1814-1815*, 199-224, 293-309
 Hudson, Lieut. Hooper, 83
 Huffington family, 342
 Hull, Isaac, 185
 Morris N. B., 102
 Humphreys, Rev. Hector, 247 ff.
 Hunt, Gaillard, 186
 Jesse, 110
 Hunter, Robert Jr., 335
 Hurst, John E., 139
 Huston, James F., 100
 Hutton, James, 207, 210, 216
 Orlando, 280
 Perry, 102
 Hyde, John (London), 171
 "I Have Tried to Think and Other Papers," by Anna Melissa Graves, 93
 Iglehart, James, 253
 Iglehart, see Swan & Iglehart's City Hotel, Annapolis
Independent Citizen, Bel Air, 100
 Indian King Inn, Baltimore, 121
 Indians, 86
 Ingersoll, Charles J., 184
International Bearings of American Policy, by Albert Shaw, 92
 Ireland, Edward, Sr., 242
 Irvine, Alexander, 211, 216
 Irwin & Company, 114
 Jackson, R. H., 34
 Jakes, Frederick, 355
 Henry, 355
 James, Macgill, 351
 Jameson, Dr. Horatio, 215
 Jamison, Joseph, 203, 208, 218, 295, 299, 303
 Penelope (Westcott), Mrs. T. Worth, 88
 Jarrett, A. Lingan, 155
 Jefferson, Mr., 294
 Thomas, 128, 185, 284, 286, 292, 349, 354, 358
Jefferson and the Press, by Frank L. Mott, reviewed, 90
 Jenifer, Daniel of St. Thomas, 54, 55, 80, 84, 96, 108, 281, 283

- Jenkins, Capt. Thomas C., 221
 Jennings, Dr. S. K., 104
 Jessop, William, 199, 202, 207, 208,
 209, 211, 217, 218, 221, 304, 305
 Jewett, Frank B., 276
 JEWETT, FRANK B., *One Hundred Years
 of Electrical Communication in the
 United States*, 225-236
John Brickwood (Ship), 12
*The Johns Hopkins Hospital and the
 Johns Hopkins University School of
 Medicine, A Chronicle. Volume I*, by
 Alan M. Chesney, M. D., rev., 164-165
 Johnson, Pres. Andrew, 47, 48, 151
 Beulah J., 275
 Mayor Edward, Baltimore, 181, 182,
 204 ff., 295
 Monroe, 281
 Reverdy, 153, 154, 315, 317 ff.
 Thomas, 279, 287 ff.
 Johnston, Augusta, 146
 Richard Malcolm, 134-135
 Jones, Joshua, 202
 Richard H., 212
 T., 103
 Virgil Carrington, *Ranger Mosby*,
 reviewed, 269-270
 William, 207, 211, 216
 William J., 47
 Judah, Martin, 117
 Jump, Robert J., 155
- Karen Long, Medical Technician*, by
 Mary Ellis Turner, 274
 Kedge's Straits, Battle of, 351
 Keidel, George C., *Early Catonsville
 and the Caton Family*, reviewed, 356-
 357
 Kelso, John, 203, 204, 207, 211, 216,
 221, 304
 Kemp, Benjamin, 338 ff.
 Caroline (Thomas), Mrs. Robert,
 340, 341
 Constant, 337, 340
 Edmund, 337, 340
 Eleanor, 340, 341
 Elizabeth, 337, 338, 340
 Elizabeth (Hardcastle), Mrs. Samuel
 Troth, 340, 341
 Elizabeth (Harwood) Williams,
 Mrs. James, 338, 340
 Elizabeth (Webb), Mrs. Robert,
 336, 340, 341
 Elizabeth (Wilson), Mrs. Thomas,
 340, 341
 Golfred, 335
 Henry, 340, 341
 Bp. James, 19
 James, 338 ff.
- James, Jr., 338, 340
 Jane, of William, 337, 340
 John, Abp. of Canterbury, 336
 John I, 336, 337, 340
 John II, 337-338, 340, 343
 John III, 338, 339, 340
 John IV, 335, 339, 340, 341
 John V, 339-341
 Joseph, 338 ff.
 Magdaline (Stevens), Mrs. John II,
 337-338, 340, 343
 Maria (Lambdin), Mrs. John, 339,
 340
 Martha, 337, 340
 Martha (Eubank), Mrs. William,
 337, 340
 Mary, 338, 340
 Mary, 340, 341
 Mary (Ball), Mrs. John, 336-337,
 340
 Mary (Wrightson), Mrs. John, 338,
 339, 340
 Phoebe, 340, 341
 Rachel, 337, 340
 Rachel (Denny), Mrs. Thomas,
 339, 340
 Robert, 335, 336, 338 ff.
 Samuel, 338, 340
 Dr. Samuel Troth, 341, 340
 Sarah, 337, 340
 Sarah (Powell), Mrs. Robert, 339,
 340
 Sarah Pascall (Troth), Mrs. John,
 335, 339, 340
 Susan (Lambdin), Mrs. John, 339,
 340
 Susannah (Yarnall), Mrs. Samuel
 Troth, 340, 341
 Thomas, Bp. of London, 336
 Thomas, 338 ff.
 William, 337, 340
 family, 335-341
- Kennedy, Anthony, 315, 316, 320 ff.
 Florence J., 277
 John P., 20, 128
 Kent, Emmanuel, 203
 Frank Richardson, 156, 157
 Mrs. James, 256-257
 Kerr, John Leeds, 146
 Key, Francis Scott, 20
 Philip Barton, 68
 Keyser, Mrs. H. Irvine, 3, 355
 William, 138, 139
 Keystone, Thomas Pownall, 89
 Kilbourn, Diana T., 108
 Kilty, John, 98
 Kimmel, William, 150, 156, 158
 King, Edward S., 167
 Rufus, 292

- Kingsmore, John, 303
Kitty (ship), 107
 Knott, Aloysius Leo, 32, 34, 150, 156, 158 ff.
 Know-nothing Party, *see also* American Party
 Kohlmeier, A. L., 277
 Kobre, Sidney, *The Development of the Colonial Newspaper*, reviewed, 270
- Ladew, Harvey S., 349
 Lafayette, General (Marquis de) 90
 Lane, Maj. 196
 Latrobe, Mayor Ferdinand C., 134
 John H. B., 112
 Law, Anthony, 94
 Catherine (Shryer) Bausman, Mrs. Anthony, 94
 Eliza Parke (Custis), Mrs. Thomas, 142 ff.
 Thomas, 142
 Leakin, S. C., 121
 Lear, Frances Dandridge (Henley), Mrs. Tobias, 145
 Tobias, 145
 Leary, Cornelius L. L., 315, 321, 322, 325, 331
Leaves from an Old Washington Diary, 1854-1863, by Elizabeth Lindsay Lomax, reviewed, 87-88
 Lechford, Sir Richard, 78
 Lee, Mary (Custis), Mrs. Robert Edward, opposite 141
 Gen. Robert E., 85, 87
 Adm. S. Phillips, 41
 Leigh, John, 145
 Leland, Thomas, 93
 Lemmon, Dr. Robert, 106, 107
 LETTERS OF SEVERN TEACKLE WALLIS, 1816-1894, by Frederick Dent Scott, S. J., 127-140
 Levering, Capt. Aaron R., 308
 Lewis, Richard, 219
 Leybold, Frederick, 207, 210, 216
 Libby, Orin Grant, 283, 284, 287, 291
 THE LIBRARY COMPANY OF BALTIMORE, 1795-1854, by Stuart C. Sherman, 6-24
A Life of Travels, by C[onstantine] S[amuel] Rafinesque. (*Chronica Botanica*, Vol. 8, Number 2.), reviewed, 271-272.
 Lillington, Rev. Mr., 337
 Lincoln, Abraham, 25, 27 ff., 149 ff., 317, 320, 321, 324, 329
 Lincoln, Mrs. William W., 358
 Lindenberger, Jacob, 265
 William, 239
 Lingan, Gen. James M., 99-100
 A LIST OF PROMOTIONS IN THE MARY-
- LAND REGULAR TROOPS, edited by William D. Hoyt, Jr., 81-84
 Lloyd, Richard Bennett, 312
Local History: How to Gather It, Write It, and Publish It, by Donald Dean Parker, reviewed, 357
 Lomax, Elizabeth Lindsay, *Leaves from an Old Washington Diary*, reviewed, 87-88
 Maj. Mann Page, 87
 Long, Francis T., 134
 Robert Cary, 200, 211 ff., 305, 355
 Long Island, Battle of, 81, 82
 "Long Neck," 338
 Lookerman, Dr. Jacob, 343
 Magdaline (Stevens) Edmondson, Mrs. Jacob L., 343
 Lorman, William, 199, 202, 207, 209, 211, 221, 300, 303, 304
 Mrs. William, 295
 Love, John, 282
 Lovejoy, Owen, 329, 330
 Lowe, Gov. Enoch Louis, 102
 Loyalist Transcripts, 59, 61 ff.
 Lucas, Fielding, Jr., 116
 Luthin, Reinhard H., 94
 LUTHIN, REINHARD H., *A Discordant Chapter in Lincoln's Administration: the Davis-Blair Controversy*, 25-48
 Lynch, Dr., 317
 Capt. John, 221
 Lyons, Samuel, 124
- McCandless, ———, 121
 McCarthy, Charles H., 31
 McClary, William, 207, 210, 216
 McClellan, Gen. George B., 36, 37, 150, 152, 157
 McClure, J. A. L., 150
 McCullough, Hiram, 157
 McDaniel, Talbot Co., 335
 McDonald, Alexander, 207, 210, 216, 295
 MacDonald (Alexander) & Ridgely (Nicholas), 295
 C. S. & Company, 114
 McGill, Mr. 56
 Macgill, George, 111
 M'Hard, ——— (innkeeper), 121
 McHenry, James, 283 ff.
 McKendree, Bishop (William), 119
 McKenzie, Dr. Colin, 201, 208, 215
 McKim, Mrs. Isaac, 295
 John, Jr., 207, 210, 216
 Robert, 104
 McKubbin, Richard, 253
 MacKubin, George, 109
 McLane, Cornelius, 247
 MacLeish, Archibald, 1

- Maclin, Littleton, 159
 McMahon, John Van Lear, 109
 "Mable," 337
 "Mable's Addition," 337
 "Machiavel" (pseud.), 57, 58
 Machenheimer, Rev. George Lindenberger, 262 ff.
 Mackenheimer, John, 216, 221
 MADAME GRELAUD'S FRENCH SCHOOL, by Lucy Leigh Bowie, 141-149
 Maddox, Dora, 75
 G. Frederick, 133
 Madison, James, 185, 186, 192, 284, 287, 293, 302 ff.
 Magruder, Miss, 143, 144
 Magruder, "Lawyer," ———, 253, 254
 Denis, 143
 Maher, Col. Martin, 305
 Mann, George, 121
 Marbury, William, 108
 Marden, Jesse, 98
 Marine, Harriet P., 4
 William M., 202
 Marshall, William L., 27, 29
 Martin, Daniel, 97
 Edward O., 105
 Luther, 106, 282, 283 ff.
 Thomas P., 277
 William Bond, 313
 Martindale, Price, 105
 Marye, ——— (Tilghman), Mrs. Alexander Stewart, 146
 William B., 94, 272, 356
 MARYE, WILLIAM B., *The Historic Mulberry Tree of Saint Mary's City*, 73-80
 Marshall, John, 19
 Maryland Gazette, Annapolis, 50, 52, 53, 56, 58 ff., 113, 270, 279, 287 ff.
 Maryland Gazette; or, the Baltimore Advertiser, 285
 Maryland Historical Society, A Brief Summary of the Hundred Years of, 1-5
 Maryland Journal and Baltimore Advertiser, 67, 270, 290
 Maryland Line, Promotions in, 81-84
 Maryland Loyalist Regiment, 67
 A MARYLAND TOUR IN 1844: DIARY OF ISAAC VAN BIBBER, 237-268
 Maryland Union, Frederick, 318, 323
 Mason, Mrs., 294
 George, 292
 Master(s), Legh, 109, 237
 Mather, Cotton, 19
 Maulsby, William P., 155
 Maxwell, ———, 221, 306
 May, Henry, 315, 319, 321, 322, 325, 329, 331
 Mayer, Brantz, 23, 101, 116
 Charles F., 131
 Frank B., 355
 Maynadier, Capt., 267
 Mrs., 267
 (Manadier), Col. Henry, 252
 Mechanical Fire Company, 110
 Medford, Richard Carl, 90, 170
 Melendy, Peter, 175
 Mercantile Library Association, 21, 23
 Mercer, John Francis, 171, 283, 284, 287
 Merrill, Dr. E. D., 271
 Merritt, Elizabeth, 92, 357
 Merryman, Joseph, 80
 Middleton, Dr. James, 215
 Miles, Edward, 219
 Miller, Alfred J., 355
 Jacob, 210, 216
 Oliver, 149
 Milnor, Mary W., 4
 Minis, Miss, 147
 Dwina (Cohen), Mrs. Isaac, 148
 Isaac, 148
 Mirror for Americans: Likeness of the Eastern Seaboard, by Ralph H. Brown, reviewed, 89-90
 Missouri—Day by Day, by Floyd C. Shoemaker, 274
 Mitchell, Arthur, 206, 210, 216
 Mondesir, John, 9
 Monroe, James, 178, 185 ff., 293, 300, 307
 Montague, Duke of, 64
 Mood, Fulmer, *The English Geographers and the Anglo-American Frontier in the Seventeenth Century*, reviewed, 272
 Moore, Charles, 38, 142
 James, Sr., 275
 Mary, 275
 Moran, Mr., 216
 Moreland, Hanson Bradley, 358
 Sarah (Adkins), Mrs. Hanson Bradley, 358
 Morning Chronicle and Baltimore Advertiser, 101, 102
 Morning Post, London, 66, 68, 71
 Morrill, Justin S., 26
 Morris, Caroline Maria (Calvert), Mrs. Thomas Willing, 142, 144, 145
 Dr. John, 150
 Richard B., 347
 Robert, 69, 70
 Thomas Willing, 145
 Morrison, Jesse, 150
 Morse, Samuel F. B., 225
 Morsell, Rev. Joshua, 255, 257
 Mortimer, Thomas, 222
 Mosby, Col. John, 269
 Mosher, James, 212

- Mott, Frank L., *Jefferson and the Press*, reviewed, 90
 "Mt. Dillon," Baltimore Co. 93
 Mt. Pleasant Ferry, Patuxent River, 258-259
 "Mt. Royal," 80
 Mulberry Tree, St. Mary's City, 73-80
 Mundell, Dr. Benjamin, 260
 Mundle, William, 212
 Munroe, T., 94
 Murdock, William, Esqr., 9
 Murray, Daniel, 257
 Mary Dorsey, Mrs. Daniel, 257
 Mustard, Mrs. Wilfred P., opp. 141
 "My Lady's Manor," 96
 Myers, Jacob, 202
 William Starr, 31, 157, 161

 Namier, L. B., 70
National Academy of Design Exhibition Record, 1826-1860, reviewed, 354-355
 Neal, John, 20, 166
 Nevins, Allan, 36
 New Market Fire Company, 110
New Viewpoints in Georgia History, by Albert B. Saye, reviewed, 174
The New World: or, the Morning and Evening Gazette, 10
New York Evening Post, 152
New York Herald, 28, 31, 41 ff.
New York Independent, 152
New York Post, 316
New York Tribune, 152
 Newcastle and Frenchtown Rail-road, 124
 Nichols, James Hastings, editor, *Force and Freedom: Reflections on History*, by Jacob Burckhardt, 93
 Nicholls, Gov., New York, 348, 349
 Nicholson, Capt. Joseph H., 195, 305
 Nicolay (John G.), and Hay (John), 36, 43
 Niles, Hezekiah, 99
Niles' Weekly Register, 101
 Norris, Mary (Kemp), Mrs. Thomas, 339, 340
 Thomas, 339, 340
 North, Lord, 64
 "North Bend," Talbot Co., 335
 Norwood's Ferry Bridge, 123
 Null, Jacob, 238

 Obrecht, Everett D., 292
 Observation, Frederick Committee of, 61-62
Observations on American Art: Selections from the Writings of John Neal (1793-1876), edited by Harold Edward Dickson, reviewed, 166-167

 Ogilby, John, 272
 Oglethorpe, James, 174
 Ogsden, John, 212
 ONE HUNDRED YEARS OF ELECTRICAL COMMUNICATION IN THE UNITED STATES, by Frank B. Jewett, 225-236
 Otis, James, 58
 Owen, Richard, 19
 Sally, 256
 Oxford, Talbot Co., 342

 Paca, William, 279, 282, 287 ff., 353
 Paine, Thomas, 19
 Palmer, T. H., 195
 Parker, Donald Dean, *Local History: How to Gather It, Write It, and Publish It*, reviewed, 357
 Parks, William, 207, 210, 216
Parliamentary Privilege in the American Colonies, by Mary Patterson Clarke, reviewed, 91-92
 Partridge, James R., 30
 Patapsco Fire Company, 110
 Patterson, George, 242
 Mr. & Mrs. Thomas Leiper, 162, 163
 William, 96, 120, 199, 202, 293, 301, 303
 Paul, John, 303, 305
 John Gilman D'Arcy, 173
 Paullin, Charles O., 41 ff.
 Payne, John Howard, 20
 Payson, Henry, 202, 204, 209, 211, 213, 218, 223, 224, 296, 299, 300, 304
 Peale, Caroline (Girard) Haslam, Mrs. Franklin, 143, 144
 Charles Willson, 114, 350
 Franklin, 143
 Rembrandt, 114, 198
 Peale's Museum, Baltimore, 294
 Pearce, James Alfred, 315, 316, 320
 Pennington, Lieut. 195
 Henry, 206, 210, 216
 William, 26
Pennsylvania Chronicle, 49, 50, 58
Pennsylvania Gazette, 287
Pennsylvania Law Review, 353
 Perkins, Anne Armour, 238
 Judge (John), 333
 William H., 150
 Perot, A. W., & Co., 136
 Perrigny, Mr., 9
 Perry, Commodore Oliver Hazard, U. S. N., 181, 204
 Peter, Columbia Washington, 142
 Grace Dunlop (Ecker), 142
 Martha Parke (Custis), Mrs. Thomas, 142
 Thomas, 142

- Peter Melendy: The Mind and the Soil*,
by Luella M. Wright, 175
- Peters, Rev. Richard, 60-61
- Petty, Yates and, 107
- Phelps, Mrs. Almira Hart Lincoln, 245
Charles E., 155, 158, 245
- Philadelphia Library Company, 8, 12
- Philips (Phillips), Capt. Isaac, 207,
211, 216, 217, 309
Samuel, 119
- "Philonaus," 8
- Picaroons, 351
- Pierce, Edward L., 40
- Pinkney, Ann Maria (Rodgers), Mrs.
William, 281
Ann (Rind), Mrs. Jonathan, 278
Jonathan, 278, 279
Jonathan, Jr., 278
Margaret (Rind), Mrs. Jonathan,
278
Nancy, 278
Ninian, 278, 280, 292
Rev. William, 278 ff., 291
William, 277-292
- Pitcher, Molly, 273
- Pitt, William, 279
- Pittsburgh Gazette*, 316
- Pizarro, Jose Antonio, 132, 133
- The Plain People of the Confederacy*,
by Bell Irvin Wiley, reviewed, 91
- Plater, Charlotte Matilda (Edmondson),
Mrs. John Rousby, 142, 144
George, 142, 287
John Rousby, 142, 314
- Pleasants, J. Hall, 4, 137
- Pleasants, J. Hall, *Four Late Eighteenth
Century Anglo-American Landscape
Painters*, reviewed, 349-351
- Pleasants, J. Hall, editor, *Archives of
Maryland*, LIX, reviewed, 168-169
- Plesanton, Caroline (Dugan), 146
- Poe, David, 104
Edgar Allan, 21
Neilson, 21
- Political Magazine*, London, 66, 68 ff.
- POLITICS IN MARYLAND DURING THE
CIVIL WAR, by Charles Branch Clark,
149-161, 315-332
- Poor, Capt. Samuel, 297
- Pope, Jennie B., 17
- Potts, Richard, 286
- Powell, Ann (Kemp), Wilson Register,
Mrs. Howell, 339, 340
Howell, 339, 340
- Powers, Hiram, 352
- Pratt, Adeline (Kent), Mrs. Thomas
George, 261
Eleanor (Magruder), Mrs. Thomas,
261
- Thomas, 261
Gov. Thomas G., 149, 261
- Presbury, Joseph, 213
- Preston, Richard, 342, 343
- Price, John, 210, 216
Joseph R., 104
William, 317
- Proctor, William, 212
- The Prohibition Movement in Alabama,
1702 to 1943*, by James Benson Sel-
lers, 175
- Proud, Robert G., 47
- The Providence Oath of Allegiance and
its Signers*, by Richard LeBaron
Bowen, reviewed, 92
- "Publicola" (pseud. for S. Chase), 281
- Purnell, William H., 29, 32
- Pyburn, A. M., 176
Ennis, 176
- "The Quaker Kemp Farm," 335, 336
- Queen Anne's Parish, Prince George's
Co., 262
- Quebec to Carolina in 1785-1786. Being
the Travel Diary . . . of Robert
Hunter, Jr., . . .* edited by Louis B.
Wright and Marion Tinling, re-
viewed, 355-356
- Racing in America, 1665-1865*, by John
Hervey, reviewed, 347-349
- Radcliffe, George L., 5, 317
- Radoff, Morris L., 277
- Rafinesque, C[onstantine] S[amuel], *A
Life of Travels (Chronica Botanica,
Vol. 8, Number 2.)*, reviewed, 271-
272
- Ramsdell, Charles W., *Behind the Lines
in the Southern Confederacy*, reviewed,
85
- Randall, Alexander, 155, 248
James G., 35
- Randolph family, 88
- Ranger Mosby*, by Virgil Carrington
Jones, reviewed, 269-270
- Ratcliffe, James, 339
- "Ravensworth," Virginia, 332
- Rawls, William L., 281
- Ray, Mrs., 252
- Raymond, Mr., 267
Henry J., 36, 38
W. O., 67
- Register, Samuel, 339, 340
- Renwick, Rev. Mr., 242
Robert, 150
- Republican Party, 26 ff., 149 ff.
- Revenue, Board of, 53 ff.
- Revere, Paul, 166
- Rhoads, Willard, 125

- Richardson, Dr. Charles, 215
 Leon B., 44
 Richmond, Va., 356
 Ridgely, Capt. Charles, 171
 Gen. Charles, 295
 Charles, of Hampton, 96
 Charles, of William, 285
 James L., 33
 John, of Hampton, 112
 (Nicholas G.), MacDonald and,
 295
 Rigg, Philip, 170
 Riley, Elihu S., 279
 William, 212
 Rind, William, 113, 278
 Rinehart, William Henry, 133-134
 Ring, David, 173
 Risteau, Dr. Thomas C., 249
 Ritchie, Albert, 150
*Rivers of the Eastern Shore: Seventeen
 Maryland Rivers*, by Hulbert Footner,
reviewed, 351-352
 Robb, W., 116
 Roberts, Emerson B., 358
 ROBERTS, EMERSON B., *Among the
 "Meeters at the Bayside,"* 335-344
 Robinson, Joseph, 98
 Ralph, 276
 ROBINSON, RALPH, *Controversy over the
 Command at Baltimore, in the War
 of 1812*, 177-198
 Robinson, Thomas, 240
 Rodenwald, William, 23
 Rodgers, John, 282
 Commodore John, U. S. N., 181,
 188, 190, 198, 221, 223, 299, 300
 Eliza (Law), Mrs. Lloyd Nicholas,
 opp. 141, 142, 144 ff.
 Lloyd N., 96
 Rolson, J. Q. A., 150
 Roos, Frank J., Jr., *Writings on Early
 American Architecture: . . .*, 175
 Rose, Judge John Carter, 354
 Ross, William, 207, 210, 216
 Rouse, Edith (Busey), Mrs. James, 276
 Emma M., 276
 James, 276
 Rowe, John, 94
 Rubens, Peter Paul, 352
 Rush, Benjamin, 166
 (Richard), 185
 Rusk, William S., 133
 Russel, Miss, 143
 Mr. Jonathan, 143
 Russell, Alexander, 207, 210, 216
 Russum, George M., 33
 Rutledge, Anna Wells, 355
 P. H., 96
 Rutter, Maj. Thomas, 80
 Ryan, James, 106, 107
 Sabine, Lorenzo, 67
 Sackville, Lord, 64
 St. Barnabas' Church, Prince George's
 Co., 262
 St. George's River, St. Mary's Co., 78
 St. Mary Bourne, Baltimore, 80
 St. Mary's College, Baltimore, 127, 128
 St. Mary's Manor, 75
 Sandford, Capt. Robert, 79, 80
 Sargent, Charles S., 73, 77
 Sasscer, Mr., 260
Saturday Morning Visiter, Baltimore,
 101
 Saye, Albert B., *New Viewpoints in
 Georgia History*, reviewed, 174
 Schaffer, Frederick, 203, 215, 220, 223
 Scharf, J. T., 10, 23, 26, 29, 102, 111,
 176, 183, 285, 290
 Schley, Frederick, 29
 Schmeckebier, Lawrence, 25, 26
 Schouler, James, 160
 Schroeder, Henry, 207, 210, 216
 Schunck, John, 210, 216
 Schwartz, A. I., 202
 F. I., 297
 Schwartz, Dr., Jr., 300
 Scott, Frederick Dent, 176
 SCOTT, FREDERICK DENT, S. J., *Letters
 of Severn Teackle Wallis*, 127-140
 Scott, Henrietta Maria (Waring), Mrs.
 Horatio, 261
 Horatio, 261
 Capt. John Day, 82
 Maj. Gen. Winfield, 196 ff.
 Sellers, James Benson, *The Prohibition
 Movement in Alabama*, 175
 Semmes, Raphael, 86, 176
 SEMMES, RAPHAEL, *Vignettes of Mary-
 land History: Part I*, 95-126
*70 Years of St. Matthews Parish, Gar-
 rett County Md.*, by Thekla Funden-
 berg Weeks, 274
 Sharp, Judith, Mrs. Peter, 342, 343
 Dr. Peter, 342, 343
 Sharpe, Gov. Horatio, 49, 50, 53 ff., 111
 Shaw, Albert, *International Bearings of
 American Policy*, 92
 Shaw, John, 314
 Shelburne, Lord, 64
Shepherdess (ship), 17
 Sherman, Stuart C., 94
 SHERMAN, STUART C., *The Library Com-
 pany of Baltimore, 1795-1854*, 6-24
 Sherwood, George W., 100
 "Shoal Creek," Dorchester Co., 333

- Shoemaker, Floyd C., *Missouri—Day by Day*, 274
- Shreve, ——— (Tilghman), Mrs. Thomas, 146
- Shriver, J. Alexis, 5, 237, 276
Capt. John, 294
- Silliman, Benjamin, 239, 267
- Sioussat, Annie (Leakin), 4
- Sioussat, St. George L., 277
- Smallwood, Gen. William, 81 ff.
- Smith, Bazil, 210, 216
Dennis A., 123
Captain John, 79
John (Cordwainer), 210, 216
John Spear, 198
Joseph, 223, 297
Maj. Gen. Samuel, 177, 179 ff., 205 ff., 295 ff., 355
Samuel I., 150
Samuel H., 10
Thomas A., 47
William E., 26 ff.
& Buchanan, 178
- Smythe (Smyth), Dr. (James) 208
- Snells Bridge, Patuxent River, 179
- Snodgrass, Dr. J. E., 121
- Snowden, John, 245
Thomas, Jr., 120
- Snyder, John, 203
- Social Planning by Frontier Thinkers*, by Matthew Page Andrews, 175
- Some Addresses—The By-Product of a Federal Judge*, by W. Calvin Chesnut, reviewed, 353-354
- Sopher, Aaron, 351
- Southern Magazine*, 134
- Sparks, Miss, 146
Jared, 118
- Sparrow, T., of Annapolis, 93
Thomas, 313-314,
- Speck, Frank G., 86
- Spence, Capt. (Master-Commandant) Robert Traill, 181, 204
Judge Thomas A., 317
- Spencer, Richard H., 279
- Sprigg, Richard, Jr., 314
- "Springfield," Carroll Co., 242
- Spurzheim, Dr., 104
- Stansbury, Gen. Tobias, 179, 212, 214
- Stanton, Edwin M., 32, 328
- Starr, William, 206, 210, 216
- Steele, Isaac, 313
Isaac Nevitt, 155
- Steiner, Bernard C., 127, 282 ff., 317, 318
- Sterett, David, 116
- Sterling, William, 222
- Sterrett, Maj. William, 82, 83
- Steuart, Richard D., 85, 170, 352
- Stevens, ———, 163
- Dorothy (Preston), Mrs. John, 342, 343
- Elizabeth, Mrs. John, 337, 340
- Elizabeth (Johns) Troth, Mrs. John, of William, Jr., 343, 344
- Elizabeth (Alcock), Mrs. John, of Wm. Jr., 343, 344
- Elizabeth, Mrs. William III, 343, 344
- John, 337, 340
- John, of William, 342, 343
- John, of John, of William, 343
- John, of William Jr., 343, 344
- Magdaline, 343, 344
- Magdaline Maude, 343, 344
- Magdaline (Gary, or Hodges), Mrs. William, 342, 343
- Mary, of William, Jr., 343, 344
- Mary (Sharp), Mrs. William, Jr., 342, 343
- Capt. Richard, 203, 208, 214, 220, 223
- Samuel, of William, Jr., 343, 344
- Gov. Samuel, Jr., 97, 343, 344
- Sarah ———, Mrs. William, Jr., 342, 343, 344
- Thaddeus, 326, 327
- William, the Immigrant, 342, 343
- William, Jr., 342, 343
- William III, 343, 344
- William, of John, of William, 343
- Steward (Stewart), Lt. Col. John, 82
- Stewart, Lt. Col. 196
Anthony, 312
John, 338
Joseph J., 33
Robert, 203, 205, 207, 215
- Steiner, Bernard C., 1, 25
- Stiles, Capt. George, 301, 309
- Stodder, Capt. David, 103
- Stork, Rev. Levi, 94
- Story, Joseph, 280
- Stouffer, Henry, 203, 207, 211, 214, 216, 217, 221, 301
- Strachey, William, 79
- Strauss, Edward M., Jr., 270
- Strible, John, 150
- Stricker, Brig. Gen. John, 181, 194 ff., 201, 204, 214
- Stringfellow, Rev. Horace, 265, 266
- Stuart, Gulielmi G., 94
Gen. J. E. B., 269
- Julia (Calvert), Mrs. Richard Henry, opposite 141, 145
- Sulivane, Dr. James B., 332
Dr. Vans M., 332
- The Sullivan Expedition of 1779. Contemporary Newspaper Comment and*

- Letters*, by Albert Hazen Wright, 274
 Sully, Thomas, opposite 141
 Summers, John, 275
 Mary (—), Mrs. John, 275
 Sumner, Charles, 39, 318
 Sumwalt, Baltzer, 94
 Gloria Ann (Linn), Mrs. Baltzer, 94
The Sun, Baltimore, 27, 29, 30, 88, 151, 153, 154, 156, 158 ff., 316, 317, 319, 323
 Swan & Iglehart's City Hotel, Annapolis, 247
 Swann, Thomas, 32, 46, 47, 154, 155, 157
 Syester, Andrew K., 156, 158
 Sykes, James, 241
 Sykesville, 267

 Talbot, Jesse, 126
 Taney, Roger Brooke, 13, 107, 133
 Tasher, Lucy, L., 27
 Tayloe, Benjamin Ogle, 313
 Col. John, 146
 Virginia, 146
 Taylor, James, 203, 208
 Dr. James M., 106, 120
 Dr. Milton N., 150
 Thomas, 344
 William, W., 97, 207, 211, 212, 216, 221, 223, 304
 Tenant, Maj. Thomas, 301, 302
 Third Haven Meeting, 335
This is Carlisle: A History of a Pennsylvania Town, by Milton Embick Flower and Lenore Embick Flower, reviewed, 273
 Thomas, Mrs. Douglas, 238
 Edward L., 33
 Francis, 155, 158, 315, 319, 321, 322, 325, 329, 331
 Isaiah, 19
 James Walter, 75
 John Allen, 314
 P. F., 105
 Thompson, George F., 150
 Henry, 96
 John P., 100
Through the Years at the Eastern High School, by a Committee of the Faculty, reviewed, 173-174
 Thruston, Col. Charles Mynn, 163
 THRUSTON, ROSALIE (GANNT), MRS. CHARLES BUCKNER, *An Account of the John Brown Raid*, 162-163
 Tiernan, Luke, 212
 Tierney, John J., S. J., 270
 Tilghman, Charles A., 105

 Henrietta Maria (Kerr) Mrs. Tench, 146, 147
 Jacobus (i. e., James), 311
 Matthew, 53, 54
 Col. Oswald, 146
 Tench, 97
 Col. Tench, 82
 Gen. Tench, 146
 William, 62, 63, 70
 Tilton, Josephine (Harwood), Mrs. Edward G., 247, 248, 253
 Theodore, 152
 Toleration Act, 1649, 117
 Townsend, Joseph, 212, 295, 299
 Towson Town, 112
 Trader, Arthur C., 77
 Trapnell, Rev. Joseph, Jr., 259-260, 262
 Trimble, Isaac, 104
 William, 212
 Trinity Episcopal Church, St. Mary's City, 76
 Troth, William, 339
 Truitt, Ralph V., 170
 Trumbull, John, 292
 Jonathan, 283
 Lyman, 318
 Tuck, Margaret Sprigg Bowie (Chew), Mrs. William Hallam, 262
 William Hallam, 262
 Turner, Mary Ellis, *Karen Long, Medical Technician*, 274
 Turner, Samuel, 106
 Dr. William, 215
 Tuska, Benjamin, 25
Twenty-fifth Anniversary of Bon Secours Hospital, Baltimore, Maryland, 1919-1944, 274
 Tyler, Dr. Grafton, 264
 Tyson, Elisha, 212
 Jesse, 104
 Judge John S., 245
 Rachel (Snowden), Mrs. John S., 245

 Uhler, John E., 20
 Unconditional Union Party, 149, 319
 Union Republican Party, 157
 Upper Marlborough, 259

 Van Bibber, Alice, 237
 Thomas, 238
 Dr. W. Chew, 237
 VAN BIBBER, ISAAC, *A Maryland Tour of 1844: Diary of Isaac Van Bibber*, 237-268
 Van Bibber, Washington, 237
 Van Ness, Maj. Gen., 184
 Van Sweringen, Garrett, 77

- Van Wyck, W., 116
 Vickers, George, 149, 156
 Vigilance and Safety, Baltimore Committee of, 181, 199-224, 293-309
 VIGNETTES OF MARYLAND HISTORY:
 PART I, by Raphael Semmes, 95-126
 Vorhees, Mrs. Captain, 252
 Vosburg, W. S., 347
Votes and Proceedings, Maryland Assembly, 283

 Wade, Benjamin F., 32, 36, 328
 Wallace, Charles C., 354
 Walley, Commodore Zedekiah, 351
 Wallis, Elizabeth, 132
 Elizabeth (Teackle), Mrs. Philip, 127
 Philip, 127
 Samuel, 128
 Severn Teackle, 127-140
 Walters, William T., 133, 134
 Warfield, George Frazer, 241, 243
 Susanna, 243
 William Henry, 243
 Waring, Col. Henry, 261
 Warner, George, 203, 207, 209, 211, 216, 221, 299
 Warren, Charles, 39
 J. Lester, Lord de Tably, 310
 Washington, George, 62, 66, 282, 349, 350, 355
 Lewis, 163
 Washington, S. Lee, *The Early History of the Stricklands of Sizergh*, 93
 Washington College, Chestertown, 107
 Washington Hose Company 110
 Washington Hotel, Baltimore, 121
 Waters, Mrs., 256
 Hezekiah, 203, 211, 215, 221, 304
 Levin L., 159
 Watson, John F., 141
 Watts, Capt. Joseph, 207, 210, 216
 Weary, Thomas, 206, 210, 216
 Weaver, William H., 122
 Webb, Edmund, 336, 341, 342
 Edmund, Jr., 342
 Elizabeth, Mrs. Edmund, 336, 341, 342
 Mary, 342
 Sarah, 342
 William, 342
 Sarah (Stevens), 343, 344
 William, Jr., 342
 "Webley," 341
 Webster, Edwin H., 46, 47
 Col. Edwin Hanson, 135, 155, 158, 315, 318, 321, 322, 325 ff.
 Capt. John A., 198
 Weeks, Thekla Fundenberg, *70 Years of St. Matthews Parish, Garrett County, Md.*, 274
 Weisel, Daniel, 155
 Welch, Benjamin, 100
 Welles, Gideon, 32, 39 ff.
 Wells, Thomas, 275
 Wertenbaker, Thomas J., 67
 Weslager, C. A., *Delaware's Forgotten Folk*, reviewed, 86
Western Continent, Baltimore, 101
 We-sorts, 86
 Wethered, Levin, 212
 Whaland, Joseph, 351
 Wheaton, Henry, 280, 291, 292
 Wheeler, Joseph Towne, 67, 109, 278, 310
 White, Albert S., 326
 John C. & Sons, 305
 White Plains, Battle of, 81, 82
 Whitfield, Abp. James, 104
 Whitman, William, 239, 241
 Whitney, Henry C., 28
 Whittingham, Bp. William Rollinson, 238, 239
 Whyte, Joseph, 280
 William Pinckney, 138 ff., 281
 Wildes, Harry Emerson, 142 ff.
 Wiley, Bell Irvin, *The Plain People of the Confederacy*, reviewed, 91
 Wilkinson, Maj. Gen. James, 196
 Willard, Miss, 264
 WILLIAM PINKNEY'S FIRST PUBLIC SERVICE, by Max P. Allen, 277-292
 Williams, Mr. 10
 America Pinckney (Peter), Mrs. William George, 142
 C., 83, 84
 Elizabeth, 338
 Ennion, 338
 Henry, 133
 Mary, 338
 Rachel, 338
 Roger, 92
 T. Harry, 34
 William, 338
 William E., 100
 Willie, David, 223
 Wilson, Mr., 257
 Charles R., 38
 Eleanor (Kemp), Mrs. William, 339, 340
 H. W., 42
 James, 201, 202, 208, 209, 273, 306
 James, J. P., 203
 James G., 201
 Rev. Joseph P., 118
 Robert, 216
 William, 199, 202, 211, 220, 224, 293, 301

- William, 339, 340
 William Bowly, 201
 Winder, Lt. Col. Levin, 82, 83
 Gov. Levin, 180 ff.
 Brig. Gen. William Henry, 177 ff.,
 298 ff.
 Winslow, Rev. Dr. Gordon, 247, 249,
 253
 Winstanley, William, 350
 Wirt, William, 128
 Wish, Harvey, *George Fitzhugh, Propa-
 gandist of the Old South*, reviewed,
 175
 Wiss, Dr. George E., 30
 Wittman, Talbot Co., 335
 Woelpert, George, 203, 207, 209, 211,
 216, 217, 304
 Wolstenholme, Daniel, 51, 52
 Wood, Joseph, opposite 177
 Lindsay Lomax, 87
 Thomas W., 355
 William, 96
 Woody, William, 98
 Woods, Mrs. William, 295
 Woodworth, Samuel, 20
 Woolery, Jacob, 120
 Woolford, Dr. Arthur, 94
 Grace, Mrs. James, 343
 James, 343
 "Woolf's Harbour," 336
 Worthington, Brice John, 252
 George, 246
 Dr. Hattersly P., 246
 Wright, Albert Hazen, *The Sullivan
 Expedition of 1779. Contemporary
 Newspaper Comment and Letters*, 274
 Wright, Hendrick B., 176
 Wright, Louis B., and Tinling, Marion,
 editors, *Quebec to Carolina in 1785-
 1786, Being the Travel Diary . . . of
 Robert Hunter, Jr., . . .*, reviewed,
 355-356
 Wright, Luella M., *Peter Melendy: The
 Mind and the Soil*, 175
 Wright Capt. Samuel Turbott, 83
 Silas, 176
*Writings on Early American Architec-
 ture: An Annotated List of Books
 and Articles on Architecture Con-
 structed before 1860 in the Eastern
 Half of the United States*, by Frank J.
 Roos, Jr., 175
 Wrightson, Elinor (Blake), Mrs. Fran-
 cis, 338, 340
 Francis, 338, 340
 Rebecca (Kemp), Mrs. William,
 339, 340
 William, 339, 340
 Wroth, Lawrence C., 109, 270
 Yates & Petty, 107
 Yoacomico Indians, 74, 78
 Young, Hugh H., 170
 Zenger, Peter, 270